

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Juliette Cherbuliez
 2. **APPLICANT:** Juliette Cherbuliez
 3. **TYPE OF APPLICATION:** NUP - Establishment
 4. **LOCATION:** 2343 Carter Ave, between Gordon and Keston
 5. **PIN & LEGAL DESCRIPTION:** 202923340141, St Anthony Park North S 1/2 Of Vac Alley Accruing & Fol Lot 36 Blk 40
 6. **PLANNING DISTRICT:** 12
 7. **ZONING CODE REFERENCE:** Sec. 62.109(a)
 8. **STAFF REPORT DATE:** July 25, 2012
 9. **DATE RECEIVED:** July 9, 2012
- FILE #** 12-079-791
HEARING DATE: August 2, 2012
PRESENT ZONING: R3
BY: Mary Matze
-
- 60-DAY DEADLINE FOR ACTION:** September 7, 2012

- A. **PURPOSE:** Establishment of legal nonconforming status as a duplex
- B. **PARCEL SIZE:** irregular parcel with 75 ft. (Carter) x 225ft = 10,425 sq. ft.
- C. **EXISTING LAND USE:** R-Duplex
- D. **SURROUNDING LAND USE:** The unit is surrounded by low-density residential uses in the R3 one-family residential district.
- E. **ZONING CODE CITATION:** §62.109(a) lists the conditions under which the Planning Commission may grant a permit to establish legal nonconforming use status.
- F. **HISTORY/DISCUSSION:** There is no zoning history specific to this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 12 Council has recommended approval of the application.

H. FINDINGS:

1. This property has been historically used as a nonconforming triplex with one unit on each of the three floors. It is unclear how long this has been the case, as the previous home-owners did not obtain certificate of occupancies for the units. The applicant wishes to convert the property into a duplex by combining the second floor unit and the first floor unit and maintaining the third floor unit as is. There will not be any changes to the exterior of the building.
2. The Planning Commission has established guidelines for applications for nonconforming use permits for duplex and triplex conversions. While not themselves requirements, these guidelines lay out additional objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex and Triplex Conversion guidelines state that for applications for nonconforming use permits for duplexes and triplexes in residential districts, staff will recommend denial unless the following conditions are met:
 - A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This condition is met. The lot size is 10,425 sq. ft and the lot frontage on 2343 Carter is 75 feet.
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This condition is met. The gross living area is approximately 3,090 feet and each unit is larger than 500 sq. ft.
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This condition is met. There is currently a driveway along the west side of the home and a two-car garage behind the home.
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This condition is met. The applicant will re-integrate the second floor unit into the main living space of the home without making changes to the exterior. The third floor unit will remain as is. There will be no exterior remodeling.
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into*

conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. The applicant will work with the Department of Safety and Inspections to obtain the necessary code compliance documentation and permits.

3. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status to use of structures if the commission makes eight findings. The findings and the applicant's ability to meet them are as follows:
- (1) *The use occurs entirely within an existing structure.* This finding is met. According to the inspection, the property has been used as a triplex for some time. The surrounding property owners have also confirmed that the property has been used as a triplex for over 10 years. The applicant states that the third floor apartment is original to the home where the servants quarters were located.
 - (2) *The use or use of similar intensity permitted in the same clause of the zoning code or in a more restrictive zoning district has been existence continuously for a period of at least ten years prior to the date of the application.* This finding is met. Letters from neighbors surrounding the property indicate that the house has been used as a triplex since the 1990s. The MLS listing indicates that the home had a third floor "mother-in-law" apartment at the time of sale. The owner is seeking M1P3 Tax Forms from the previous owners to show proof of continuous existence of the units.
 - (3) *The off-street parking is adequate to serve the use.* This finding is met. The owner currently provides two off-street parking spaces. Parking is compliant with the duplex / triplex conversion guidelines approved in 2009 as explained in finding 2C.
 - (4) *Hardship would result if the use were discontinued.* This finding is met. If the use were to be discontinued, the applicant states that there would be a financial hardship. The applicant purchased the home with the understanding that it could be legally rented, and based financial burden calculations on this assumption. If the use were to be discontinued, the owner would lose a monthly revenue of \$800 and would bear the financial burden of reintegrating the space into the house.
 - (5) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* This finding is met. The property is located in an extensive area of single family zoning. While there is a mix of one and two family residential, rezoning this one lot would be inappropriate to the surrounding predominantly single-family land uses.
 - (6) *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. Maintaining the house as a duplex is consistent with how the neighborhood has developed and will not alter the character of the surrounding neighborhood.
 - (7) *The use is consistent with the comprehensive plan.* This finding is met. Strategy 1.1 of the Housing Section of the comprehensive plan states that "Neighborhoods should seek to capture a realistic share of the growing housing market, providing more choices. These choices should include a mix of rental and ownership units, a range of housing types, and diversity of income levels."
 - (8) *A notarized petition of two-thirds of the property owners within one hundred (100) feet the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on July 9, 2012: 15 parcels eligible; 10 parcels required; 12 parcels signed.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Establishment of legal nonconforming status of 2343 Carter as a duplex subject to the following conditions:

1. The applicant must adhere to all applicable code requirements.
2. The applicant must obtain a certificate of occupancy for the rental unit.

Attached Documentation

1. Cover letter
2. Application Details
3. Survey of property (showing 2-car garage, setbacks, driveway with appropriate cutouts)
4. Site Plan (4 pages showing discrete entries for each unit & square footage of 2nd unit)
5. Consent Petition signed by over 2/3 of property owners within 100 ft. of property (with two electronic signatures, also included)
6. Affidavit for petition
7. Supporting letters attesting to continuous use:
 - a. Crawshaw and Chu
 - b. Bolger and Gutierrez-Bolger
 - c. Mitchell and Dimond
8. Supporting letter from St. Anthony Park Community Council
9. Pro Forma worksheet
10. Summary Information Worksheet
11. Most Recent MLS listing

2343 Carter Ave
St Paul, MN 55108

9 July, 2012

To the Planning Commission, City of St. Paul:

Enclosed you will find my application for a permit for Nonconforming Use for my property at 2343 Carter Ave in St. Anthony Park. In this letter, I provide some historical context and an explanation of my situation.

History: When we purchased this property in September 2011, there were two mother-in-law apartments that had been rented for about 25 years (as reported by the previous owners to us). The house is a stunning 1894 2.5-story late Victorian, originally with probably 4 main bedrooms and 2-3 servants rooms. Around 1986, the sellers created a separate second-floor unit out of 3 rooms and a sunporch, occupying the entire east side of the second floor. The existence of the third-floor unit likely predated the sellers. While we understood that they were non-conforming units, we also were told by our realtor, repeatedly, that boarders were perfectly legal in St. Paul (up to 4 unrelated adults in one house). We purchased the house unaware that the situation into which we had entered was not legal, since we believed that the single utilities meters and mailbox were evidence of boarding. *Additionally, we were not told by previous owners that the property already was subject to a zoning complaint.* We were alerted to the situation by a visit from Fire Inspector Michael Urmann (around Thanksgiving 2011).

We had always had the intention of deconverting the second unit and reintegrating the space into the main house, eventually. We enjoyed the idea of extra income on the third floor generated by the existing apartment, and of sharing such a large house with graduate students or anyone for whom a cozy, safe apartment was suitable. The 3rd-floor apartment has been rented and is rentable as is; no structural modifications are needed.

Rationale: We decided to apply for a nonconforming use permit for the following reasons:

- The house is most suitable as an owner-occupied duplex. With over 3000 square foot, it is too big for today's families, especially those of us who do not employ multiple live-in servants. Also, it has an interior layout that lends itself to a duplex: The third floor is accessed by its own exterior door in the back of the house (off the driveway facing the garage). Entry is onto a service staircase with direct basement (laundry) access, which continues directly up to the 3rd floor landing. *Access doors to the staircase from other floors are secured.**
- Legal rental of the third floor creates rental housing appropriate to the neighborhood, a desirable enclave accessible to shops, public transportation, both campuses of the UMN, and Luther Seminary. The units have been rented to graduate students, seminary students, and single people working in the area. Included is a letter from the St. Anthony Park Community Council supporting our application, asserting the benefit of rental units for the neighborhood.

* The service staircase serves the 3rd floor, the other unit is accessed by the

--The house is uniquely suited to being a duplex because of its exceptional architecture (2 separate entrances, two interior staircases), its long-standing use as a duplex, and the overwhelming support from the neighbors.

--I am deconverting the third unit (2nd floor) in order to improve the property and align it with neighborhood expectations regarding density.

--On a street where each parcel's street frontage is quite wide (I have 74.95' of frontage) there is relatively little traffic and fairly broad streets, additional traffic of this low magnitude would not cause hazards or inconveniences.

Progress: *Ongoing compliance with zoning complaints:* We began rectifying the complaints, first by evacuating the third unit. We also rectified the electrical problems, fire hazards, and began to research the elements necessary for an application for a Nonconforming Use Permit. I have submitted a plan of work for 2nd-floor deconversion and other code compliance issues to Fire Inspector Mike Urmann.

Hardship: Losing both rental units would create a financial burden that I currently could not handle. We purchased the house with two steady professional incomes and two income streams from the rentals. But the situation has now changed. Not only have we lost the second rental income before we were prepared to do so, but more significantly I am now the single owner of the property, on a monthly salary of about \$3600. As a single parent I will depend heavily on the rental income to contribute to the mortgage. While I am prepared to shoulder the burden of deconverting the second-floor unit this year, I could not imagine facing the cost of reintegrating the 3rd-floor unit as well, a deconversion that would be costly and difficult to accomplish with any respect for the architectural integrity of the home. Furthermore, renting the third floor is a suitable way to finance the upkeep of such a majestic home.

Continual Use Proof: The most significant hurdle I have faced is the burden of proving continuous use. I know that the property has been rented as a duplex or even triplex since the late 1980s; the sellers told us that in person and repeatedly. Neighbors have been forthcoming and generous with their assessment of the situation: 2343 Carter has been an owner-occupied triplex for longer than most of the neighbors can remember, including those who predated the previous owners. *Every single person I spoke to who knew the previous owners has asserted that it was operated as an owner-occupied rental property.*

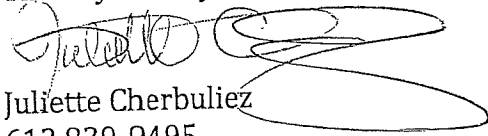
The usual forms of proof, however, are elusive. The property has single utility meters (utilities are included in the rent). There is no paperwork in the house attesting to a history of rentals. Following up on a suggestion by a helpful Zoning Inspector that I obtain a letter from a postmaster or letter carrier, I determined that our community's postmaster, located in Roseville, does not keep such records. Our current letter carrier has been on the job just over a year. I attempted to get Certificates of Rent Paid, but these are filed under tenants and landlords' social security numbers so they are not accessible to others.

The real problem is that previous owners have refused repeated requests for supporting documentation, such as leases or redacted CRPs. Emails and letters have gone unanswered. Requests for help have been deferred or unanswered. A Certified letter was unclaimed. I

believe that the previous owners are afraid of reprisal from the City since their units were non-conforming, even though I have received assurances from the City that this is not the case and I conveyed these assurances to them.

Instead, I submit letters from 3 neighbors who have lived here for over 10 years and can attest to the property's continual use. I realize that this is not the proof you normally seek, but it contributes solidly and irrefutably to a seamless picture that is told by the architecture of the house: for at least two generations, it has been a duplex, and this is the best use of 2343 Carter Avenue today.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Juliette', followed by a large, stylized flourish or scribble.

Juliette Cherbuliez

612 839-9495

cherbuli@umn.edu

Juliette Cherbuliez

Application for Nonconforming Use Permit for a duplex at 2343 Carter Ave, St. Paul, MN.

Application Details

I submit the following proof that the property's physical plant and history of use meet the criteria for the establishment of legal nonconforming status as outlined in Section 62.109(a).

1. The use occurs entirely with an existing structure. The house at 2343 Carter Ave was originally a single-family home, with service quarters on the third floor. Sometime prior to 1985, these quarters were converted to an apartment. *See plans of the house.*
2. Use of similar intensity has occurred for a period of greater than 10 years. For a certain period of time, sometime between 1940 and 1970, it was a boarding house. By 1970 it reverted to a single-family house. As early as 1973 and as late as 1985, the property was used as an owner-occupied duplex, with a rental apartment in the third floor. Throughout the 1990s, 2000, and through this past year, the house was used as an owner-occupied triplex. (Plan of work to deconvert the third unit has been submitted). *See proof of continuous use. (Bolger, Mitchell, Crawshaw).*
3. Off-street parking is adequate to serve the use. According to the document "Duplex and Triplex Conversion Guidelines for Zoning Cases," "Three off-street (non-stacked) parking spaces are preferred; two spaces are the required minimum" (p. 1). The property has a two-car garage thus meeting the required minimum. The driveway is a shared driveway (neighbors have their own two-car garage), with appropriate cutouts and no need for improvement.
4. Hardship would result if the use were continued. The appraised value of the home is \$465,000. With a monthly income of ~\$4000, a mortgage of ~\$2200, utilities of ~\$500, losing a monthly income stream of ~\$800 would represent a serious hardship. Other circumstances: A) We purchased the property with the understanding that we could legally rent out a portion of it; we calculated our financial burden based on this understanding. B) The 3rd floor unit has been used as a distinct living space for so long that it would be prohibitively expensive and architecturally unimaginable to reintegrate it into the house. A separate living unit is the best use for the 3rd floor without major structural changes to the house. C) Now a single-income property owner, I will have a difficult time meeting my mortgage obligation without the rental income from an apartment. *See accompanying letter of introduction and pro forma information sheet.*
5. Rezoning the property would result in zoning inappropriate to the surrounding land use. The neighborhood is predominantly R1 single-family homes, rezoning would result in spot zoning.
6. The use will not be detrimental to the existing character of development in the immediate neighborhood. Of the 55 homes within 350 ft of the property, 4 appear zoned as multiple-family homes. Of these, 3 are within 100 ft of the property.

7. The use is consistent with the Comprehensive Plan: "Given the anticipated population growth, the demand for smaller one- and two-person units, a built city, and the need to continue to increase the City's tax base, greater housing density will be the hallmark of the next 20-30 years" (H4). Given that the median age of the housing stock in St. Anthony Park is 96 years, there are not many opportunities for architecturally appropriate duplexes within existing structures in this neighborhood. Legalizing an existing duplex is a sound way to increase density in a way that is in keeping with the neighborhood.
8. A notarized petition of over two-thirds of the property owners within 100 feet of the property has been obtained stating support for the use. Neighbors were shown the application, a survey of the property, plans of the interior, and a map showing their relative location. Not a single person who answered our letters or in-person visits declined to sign the petition (13 out of 14 signatures obtained; including two from out of town). Every single signatory expressed sustain enthusiasm for low-scale rental units in the neighborhood. *See attached petition and affidavit.*

Responses to Duplex conversion guidelines.

- A. Lot size is adequate.
- B. Gross living area and unit areas are adequate (total of +3000 sq ft; second unit is ~510 sq ft)
- C. Off-street parking meets the minimum requirements
- D. All remodeling work is on the inside of the structure.
- E. Necessary permits will be obtained and code compliance inspections will be arranged.

W. BROWN LAND SURVEYING, INC.

8030 Cedar Avenue South Suite 228
Bloomington, MN 55425
Phone (952) 854-4055
Fax (952) 854-4268

WOODROW A. BROWN, R.L.S.
President

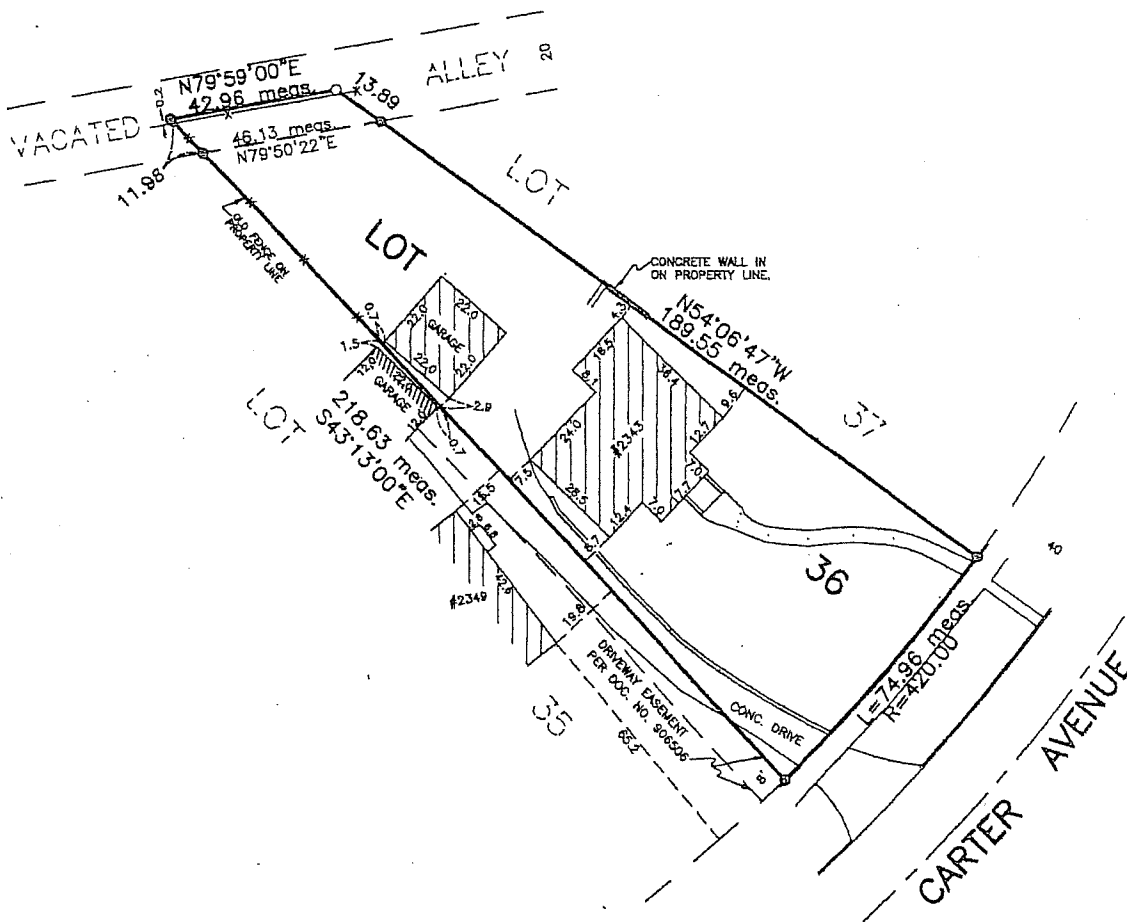
Survey For:
**GUSTAVO J. GOMEZ AND
JAMES R. SCHMIT**

- ⊙ Denotes Iron Monument Found
- Denotes Set, 1/2" x 14"
Iron Pipe w/plastic cap
inscribed R.L.S. 15230.

100.0x Existing Elevation



SCALE: 1"=30'



PROPERTY DESCRIPTION

The south 1/2 of vacated alley accruing and following Lot 26, Block 40,
ST. ANTHONY PARK NORTH, Ramsey County, Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under
my direct supervision and that I am a duly Registered Land Surveyor under the
laws of the State of Minnesota.

W. BROWN LAND SURVEYING, INC.


Woodrow A. Brown, R.L.S. NO. 15230

Dated: 08-31-2011

2343 Carter Ave
St. Paul, MN
Juliette Cherbuliez

DRIVEWAY

Exterior Entrance
#2

stairs up

Bathroom

newway

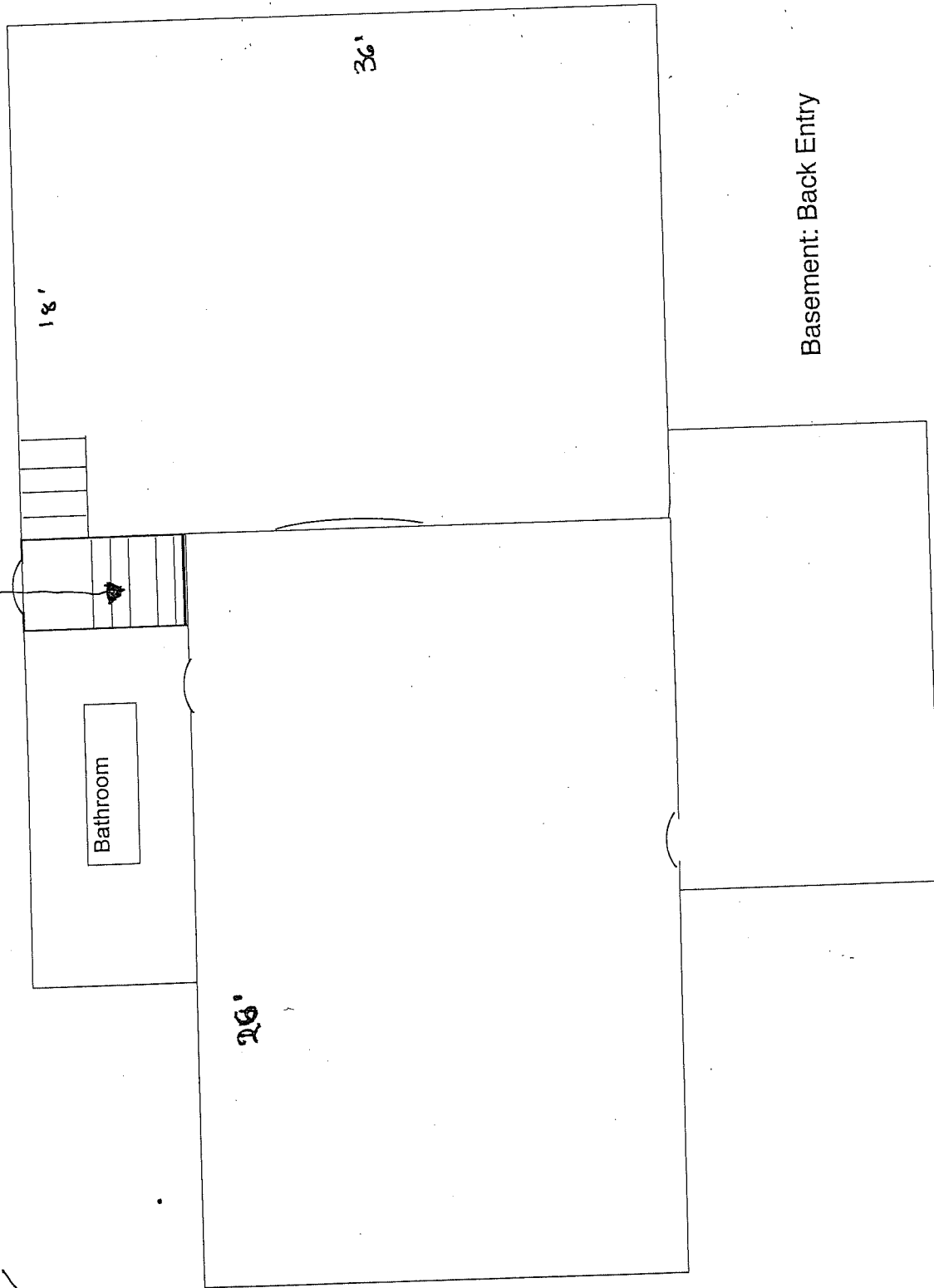
22'

26'

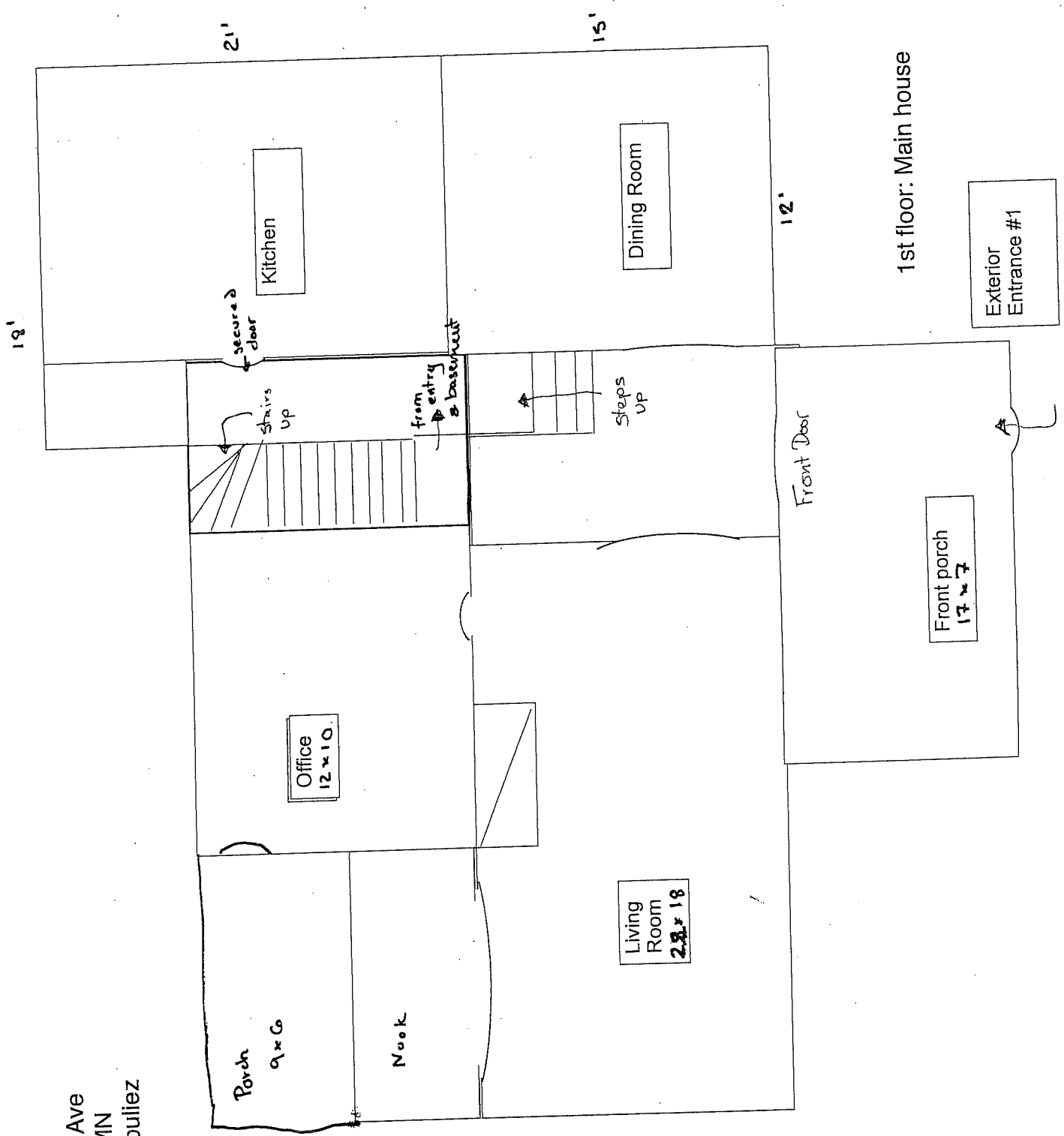
18'

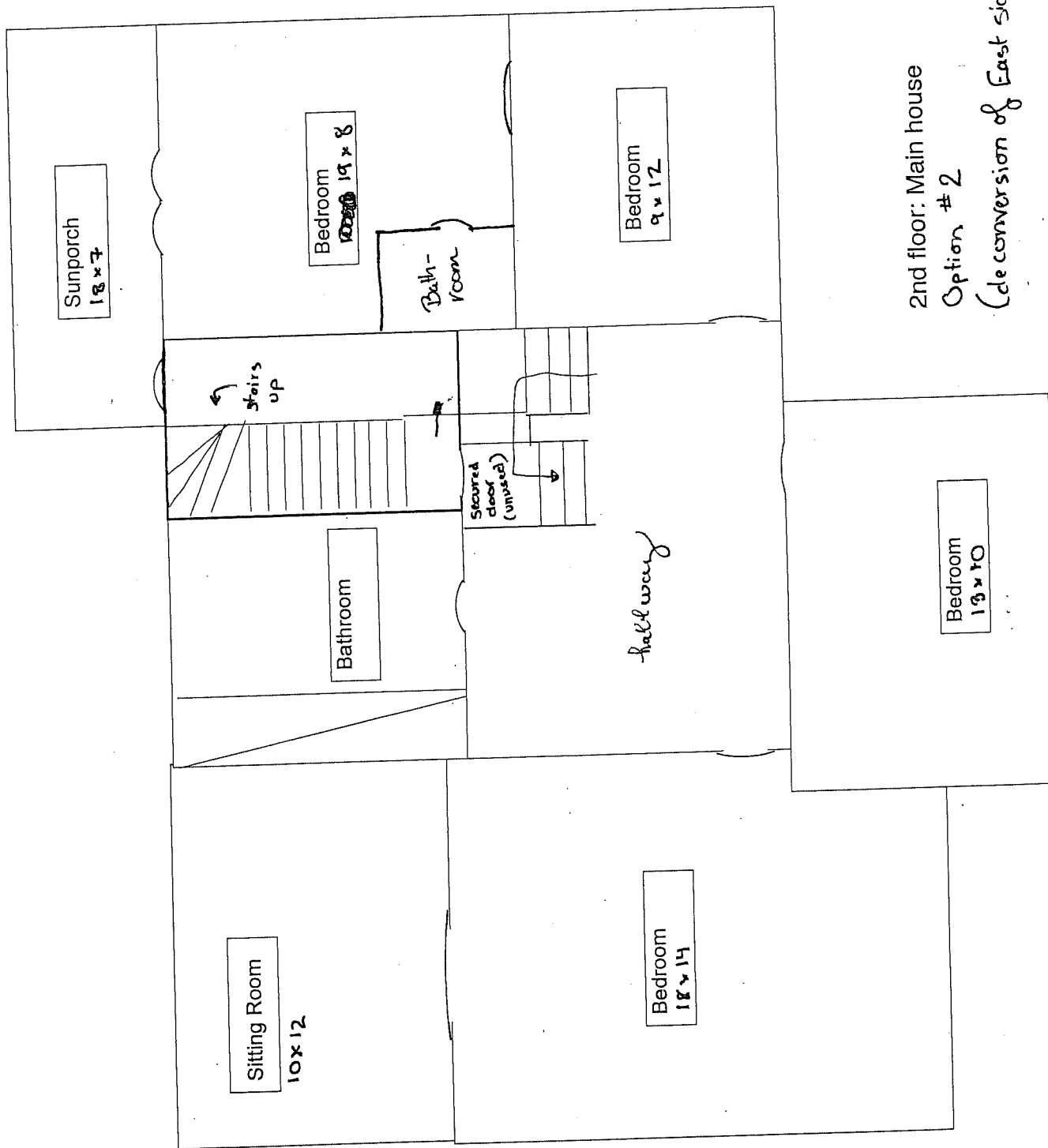
36'

Basement: Back Entry



2343 Carter Ave
St. Paul, MN
Juliette Cherbuliez



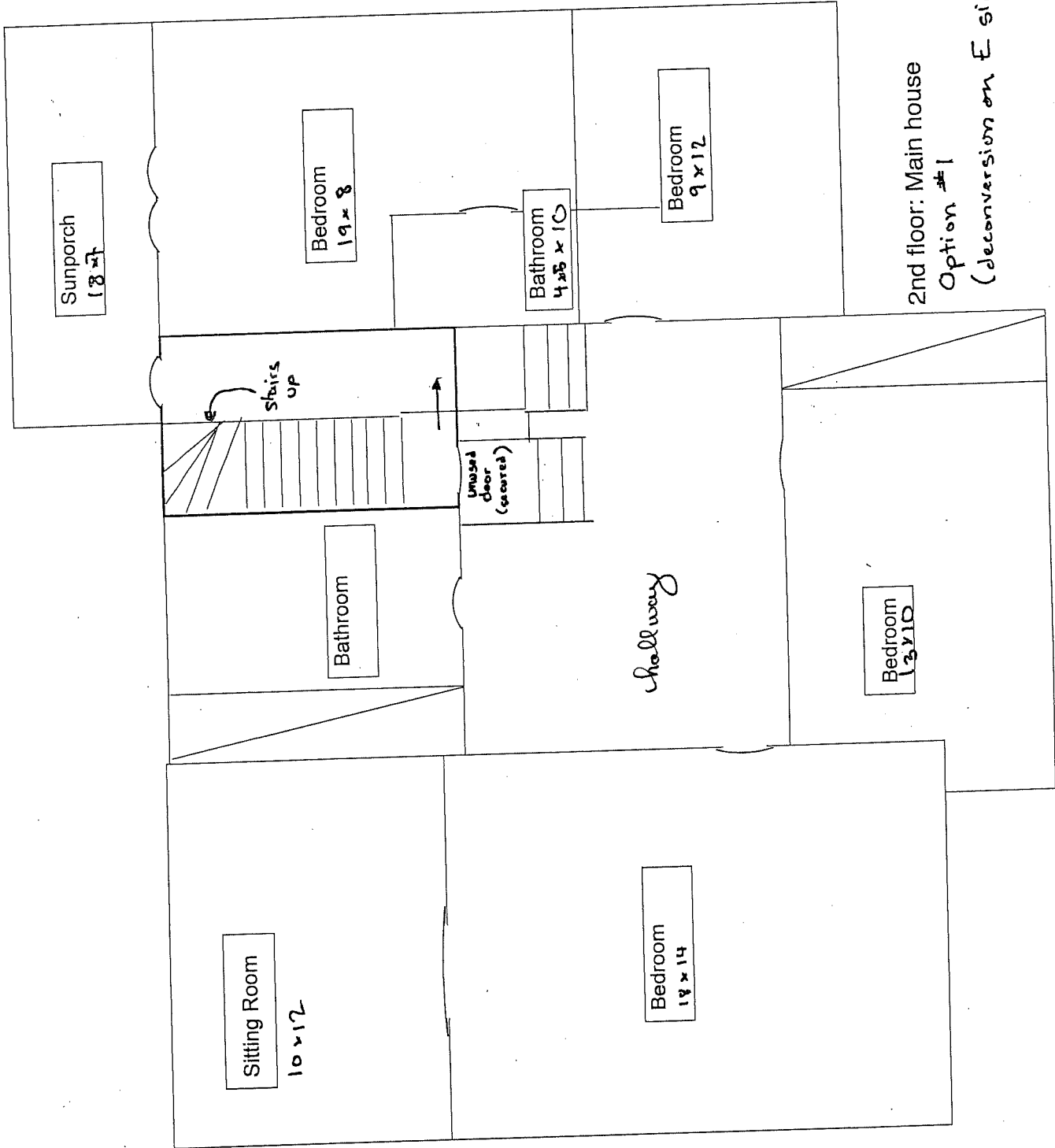


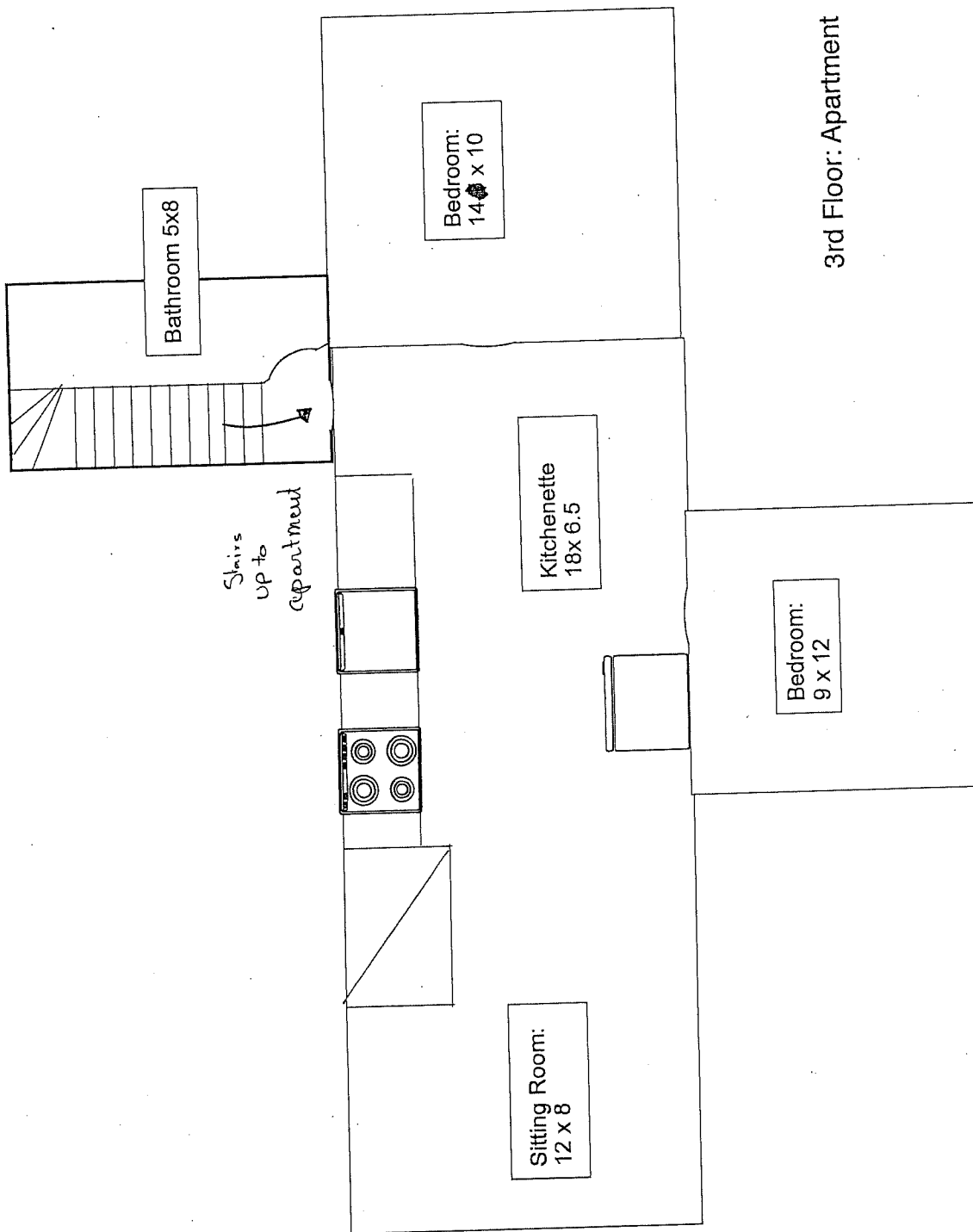
2nd floor: Main house

Option #2

(deconversion of East side unit)

3a





3rd Floor: Apartment

Summary Information Sheet		Existing	Proposed
Number of Units		3	2
Number of bedrooms in each unit			
	Unit 1	2	4
	Unit 2	1	NA
	Unit 3	2	2
Size of each unit in square feet			
	Unit 1	2142	2609
	Unit 2	467	NA
	Unit 3	508	508
Debt:			
Initial principal amount	312,000		
Initial interest rate	3.875		
Term of mortgage	30		
Time remaining on note	30		
Balance on existing debt	312,000		
Rehabilitation			
Type of improvements			
	Unit 1		Deconvert Unit 2 to rejoin to Unit 1, increasing bedroom/study space
	Unit 2		NA
	Unit 3		Install fire alarms etc
	exterior		Install handrails.

Pro Forma Information Sheet				
Required Information		Original: As triplex	With Continuation of Duplex	With total deconversion
Income				
Total monthly income from structure		1590	800	0
Existing vacancy				
EGI		1590	800	0
yearly EGI		19080	9600	0
Operating Expenses (annual)				
Maintenance (lawn/snow)		1200	1200	600
Insurance		1560.55	1560.55	1560.55
Utilities: \$125monthly pperson		7500	6000	5500
Other				
Taxes		7800	7800	7800
Operating Expenses (annual)		18060.55	16560.55	15460.55
net operating income		1019.45	-6960.55	-15460.55
Monthly debt/mortgage payment		1485	1485	1485
annual debt payment		17820	17820	17820
total cost of improvements		0	\$7,000	10,000
Cash Flow:2012		-16800.55	-31,780.55	43,280.55
Cash Flow 2013-			-24,780.55	33,280.55
Questions: est. change in taxes w/ NCUP?				

**PRO FORMA INFORMATION SHEET
FOR DUPLEX AND TRIPLEX CONVERSION CASES
Continuation of Extra Units**

Required information	With Continuation of Extra Units in Structure	With Continuation of Duplex	With Conversion of Structure to Legal Number of Units
Income			
Total monthly rent income for all units	\$ 1,590	\$ 800	\$ -
Monthly income from structure other than rent			
Existing vacancy (if any)			
Effective gross income (EGI) / month ¹	\$ 1,590	\$ 800	\$ -
Effective Gross Income / year	\$ 19,080	\$ 9,600	\$ -
Operating Expenses (Annual) ²	\$ 18,061	\$ 16,561	\$ 15,461
Maintenance	\$ 1,200	\$ 1,200	\$ 600
Insurance	\$ 1,561	\$ 1,561	\$ 1,561
Utilities (only include amount paid by landlord)	\$ 7,500	\$ 6,000	\$ 5,500
Other (identify)			
Taxes	\$ 7,800	\$ 7,800	\$ 7,800
Net Operating Income (Annual) ³	\$ 1,019	\$ (6,961)	\$ (15,461)
Monthly debt / mortgage payment	\$ 1,485	\$ 1,485	\$ 1,485
Annual debt payment	\$ 17,820	\$ 17,820	\$ 17,820
Rehab projects			
Total cost of improvements		\$ 7,000	\$ 10,000
Monthly rehab debt payment			
Annual rehab debt payment	\$ -	\$ 7,000	\$ 10,000
2012 Cash Flow: profit, (loss) ⁴	\$ (16,801)	\$ (31,781)	\$ (43,281)
2013 Cash Flow: profit, (loss) ^{4 (2013)}	\$ (16,801)	\$ (24,780)	\$ (33,280)

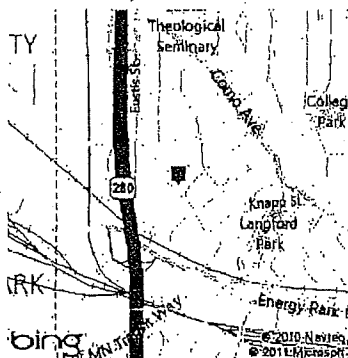
avenue, St. Paul, MN 55108

Type: For Sale

Active

List Price: \$499,900

OLP: \$499,900



Map Page: 107

Map Coord: B2

Directions: 280 to Eustis/Como exit,
right to Eustis, south to Carter, left to
home

MLS Area: 746 - SP-St. Anthony/Midway
Style: (SF) Two Stories
Inst Status: Previously Owned
Foundation Size: 1,320
Above Ground Finished SqFt: 3,090
Below Ground Finished SqFt: 0
Total Finished SqFt: 3,090

Year Built: 1894
Bedrooms: 6
Total Baths: 4
Garage: 2
Acres: 0.24
Lot Size: 75X139
Fire #:

TAX INFORMATION

Property ID: 202923340141
Tax Year: 2011
Tax Amt: \$6,588
Assess Bal: \$471
Tax w/assess: \$7,060
Assess Pend: Yes
Homestead: Yes

st Date: 6/9/11 Received By MLS: 6/9/11

Days On Market: 15

General Property Information

Legal Description: ST ANTHONY PARK NORTH S 1/2 OF VAC ALLEY ACCRUING & FOL LOT 36 BLK 40
County: Ramsey
School District: 625 - St. Paul, 651-632-3701
Fg Home w/HUD ID#: No
Complex/Dev/Sub: Common Wall: No
Restrictions/Covts:
At Description: Tree Coverage - Medium, City Bus (w/in 6 blks)
Road Frontage: City, Paved Streets, Curbs, Sidewalks
Zoning: Residential-Single, Residential-Multi Accessibility: None

Remarks

Agent Remarks: Truly 'One-of-a-Kind'! Inviting exterior & setting in St. Anthony Pk, 3 stories, spacious rooms, INCREDIBLE woodwork, stained glass & detailing, MUST SEE! Walk to Village restaurants and shops! Total of 5-6 Bedrooms, 4 Baths, 3rd floor mother-in-law

Public Remarks: Truly 'One-of-a-Kind'! Inviting ext & setting in St. Anthony Pk, 3 stories, spacious rms, INCREDIBLE woodwork, stained glass. MUST SEE! Walk to Village restaurants/shops! Total of 5-6 BR, 4 BA, 3rd flr mother-in-law, NEW ROOF COMING!

Structure Information

Room	Level	Dimen	Other Rooms	Level	Dimen	Heat:	Forced Air
Dining Rm	Main	20x17	Office	Main	12x10	Fuel:	Natural Gas
Dining Rm	Main	15x12	Deck	Main	20x16	Air Cnd:	Central
Family Rm	Third Story	18x12	Foyer	Main	8x8	Water:	City Water/Connected
Kitchen	Main	20x14	Porch	Main	16x7	Sewer:	City Sewer/Connected
Bedroom 1	Upper	17x14	Sitting Room	Upper	10 x 10	Garage Stalls:	2
Bedroom 2	Upper	13x10	Sun Room	Upper	17 x 7	Garage Stall #:	
Bedroom 3	Upper	11x10				Other Parking:	2
Bedroom 4	Upper	10x9				Pool:	
			Bathrooms:	Total: 4	Full: 3		
				3/4: 1	1/2: 0		
					1/4: 0		

At Description: Upper Level Bath, Full Basement, Basement
Living Room Desc: Separate/Formal Dining Room, Informal Dining Room, Eat In Kitchen, Breakfast Area, Kitchen/Dining Room
Family Room Char:
Appliances: 1 Fireplace Characteristics: Living Room, Gas Burning

4/2011

Property Full Report, Single Family Residential, MLS#: 4056407

2343 Carter Avenue, St. Paul, MN 55108

Type: For Sale

Appliances: Cooktop, Microwave, Dishwasher, Refrigerator, Washer, Dryer, Disposal, Furnace Humidifier
Basement: Full
Exterior: Shakes, Metal/Vinyl
Fencing:
Roof: Asphalt Shingles, Age Over 8 Years, Rubber
Amenities-Unit: Deck, Porch, Natural Woodwork, Kitchen Window, Skylight, Ceiling Fan(s), Hardwood Floors,
Tiled Floors, Sun Room, Washer/Dryer Hookup
Parking Char: Detached Garage, Driveway - Concrete, Driveway - Shared, Garage Door Opener
Special Search: 3 BR on One Level, 4 BR on One Level
Second Unit: Existing In-Law w/Kitchen, Existing In-Law w/Bath

Financial

Cooperating Broker Compensation

Buyer Broker Comp: 2.7 % Sub-Agent Comp: 2.7 % Facilitator Comp: 2.7 %
Variable Rate: N List Type: Exclusive Agency

In Foreclosure?: No

Lender Owned?: No

Potential Short Sale?: No

Owner is an Agent?: No

Sellers Terms: Conventional, Cash

Existing Fin: Conventional

Listing Agent: Trish A Jordan 651-231-2927

Listing Office: Edina Realty, Inc.

Appt Phone:

Office Phone: 651-688-0000

This Report Prepared By: Stephen Townley 651-698-1000

St. Anthony Park Community Council/District 12
890 Cromwell Avenue, Saint Paul, MN 55114
651/649-5992 TEL 651/649-5993 FAX www.sapcc.org

ST. ANTHONY PARK



Sarah Zorn, Planner
City of St. Paul Planning and Zoning
25 W 4th Street
Suite 1400
St Paul MN 55102

May 10, 2012

Dear Ms. Zorn,

The St. Anthony Park Community Council would like to express our support for the granting of a non-conforming use permit to Michael Opperman at 2343 Carter Avenue to allow the property to continue functioning as a duplex. As Mr. Opperman has discovered through his extensive research and efforts to contact the previous owners, the house has been used as a multi-unit facility for over a decade, a use that fits in with the surrounding properties and is acceptable to both the immediate neighbors and the larger community.

Thank you for considering our support as you review this application. Please feel free to contact us if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "JoAnne Makela".

JoAnne Makela, Chair of the Board of Directors

CC: Michael Opperman

From: Hans-Olaf Pfannkuch <h2olafpf@umn.edu>
Subject: **Re: Neighborly Greetings and Request**
Date: July 7, 2012 6:48:36 AM CDT
To: Juliette Cherbuliez <cherbuli@umn.edu>

Juliette,

welcome to the St. Anthony Park neighborhood.

I fully support your petition for a Non-Conforming Use Permit to continue renting your third floor apartment, and I would strongly suggest to the Housing and Zoning Boards of the City of Saint Paul to grant you this permit. Having responsible homeowners who rent to the clientele that St. Anthony Park has been known for can only be an asset to the whole community.

I have been out of touch electronically here in Norway, today is the first time I have had access to the internet in a small community that has a free access program, but this is far away from where we live. Call my daughter Karin VanZyl to whom I cc this message in case you need a signature which she or her husband Steve would be authorities to give if this e-mail is not sufficient for the authorities. Her number is 651-225-8932, they live on 153 Robie Street in St Paul (Cherokee Park)

Let me repeat again: welcome to saint Anthony Park, and I support your petition fully.

Hans -Oaf Pfannkuch
2358 Bourne Avenue
Saint Paul, MN 55108

p.t. c/o Karin Noelker
4485 Sande /Fedra
Norway

On Sat, Jun 30, 2012 at 10:22 PM, Juzliette Cherbuliez <cherbuli@umn.edu> wrote:
Dear Olaf,

We have met briefly before, and I knew you and Georgette from Bonjour Minnesota (I'm an Associate Professor in the Department of French and Italian). If I am not mistaken, we last met at a Friends and Alumni function in my department where I gave a brief presentation on some of my teaching. But I am writing to you today as your neighbor! We purchased 2343 Carter Avenue last fall from Gustavo Gomez and Jim Schmit, whom you might have known. Yesterday I dropped a letter off at your house, and today I spoke with your housesitter Amy. She advised me to email you, since I am seeking your signature on a petition that I must file by July 10 and she tells me you will not return until August.

I am filing an application with the City to legalize a long-standing rental apartment in my house. As you might have known, for about 25 years Gustavo and Jim rented two units in their house. The arrangement worked well for them and for neighbors but it was not in line with zoning. Past tenants have been mostly students at Luther Seminary or various graduate programs at the U.

After speaking with close neighbors, I have decided to bring the house up to current code and to seek a Non-Conforming Use Permit to continue renting our third floor, a cozy 3-room apartment. I hope to continue renting the apartment to students or visiting researchers, or other members of our community who appreciate the quiet and beautiful neighborhood, and the easy access to public transportation and shops.

A quick informal survey of our immediate neighborhood suggests that there are a number of multi-family homes already. Especially since previous owners of our property rented out two or more units in the building (and I wish only to rent one unit), I believe that doing so will not change the character or increase the traffic in the neighborhood.

From: virginia ruddy <vruddy1@yahoo.com>
Subject: **apartment rental**
Date: July 8, 2012 9:24:10 PM CDT
To: cherbuli@umn.edu

Juliette,

As I have been out of town for past 3 weeks it is only now that I respond to your letter. I fully approve of your renting your third floor, 3 room apartment. Your home is very large and in this day of energy conservation I believe it important to share resources. I welcome both you and your future tenants to our neighborhood.

Virginia Ruddy
2374 Bourne Ave
651-645-0077

Eugene Crawshaw

Julie Chu

2349 Carter Avenue
Saint Paul, MN 55108

T 651-644-5491

M 612-272-3720

e.crawshaw@me.com

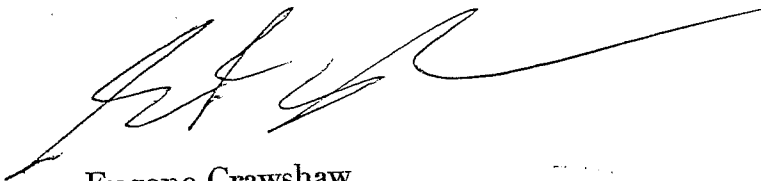
July 5, 2012

To Whom It May Concern:

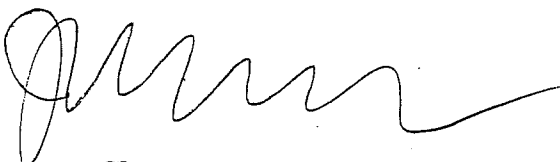
We support the application of Juliette Cherbuliez for a permit to use the property at 2343 Carter Avenue as a duplex.

We have owned and lived next door to this property since 2005. It has been continuously occupied as a duplex or a triplex for as long as we have lived here. We share a driveway with 2343 Carter Avenue. The property's non-conforming use has not adversely affected us. We don't believe that its continued use as a permitted duplex will be a problem. We support our neighbors' application.

Sincerely yours,



Eugene Crawshaw



Julie Chu

July, 2012

To Whom It May Concern:

We hereby support the application put forth by Juliette Cherbuliez for a permit for non-conforming use of the property at 2343 Carter Avenue, St. Paul, as a duplex. We have lived at this address since July, 1990, (2337 Carter Avenue, St. Paul) and can attest to the fact that the above noted property has been occupied as a duplex or triplex.

As neighbors sharing a property line, we have no concerns about a non-conforming use of the property or of the issuance of a permit to do so. Additionally, we understand that additional street parking may be necessary.

Sincerely,
Richard G. Bolger and
Carmen Gutierrez-Bolger

2337 Carter Avenue
St. Paul, MN 55108
651-644-0217
dbolger@bolgerinc.com

25 June 2012

To Whom It May Concern:

We, Grover Dimond & Peg Michels, hereby support the application of Juliette Cherbuliez for a permit for Non-Conforming Use of the property at 2343 Carter Ave, as an owner-occupied duplex. We have lived in our home, 2332 Bourne, since 1990. Ours is a through-lot, our rear yard fronting on Carter, two lots up from 2343 Carter.

Continuous Use - We knew the former owners well and can attest that the property has been continuously occupied as multi-family, all the years that we have lived here. In 1992, in the course of neighborhood canvassing work, I was in most neighboring homes. It was clear 2343 had renters in addition to the homeowners; the practice continued unchanged.

Compatible Use - As we are over 100 feet away, our approval is not needed, but as nearby neighbors we support granting the permit for non-conforming use, as we believe this proposal is a good fit, compatible with the nature of the house, the needs & character of the neighborhood, & long term goals of the City.

With UofM near by, Saint Anthony Park has a long history hosting student housing in Mother-in-law apartments scattered in attics & the extra space of large homes. This community & housing style has proven successful at providing higher densities and needed student housing close to the U, while blending into the traditional neighborhood fabric, combining the supervision of owner occupied & look of single family, with the flexibility for homeowner to adjust to changing income or family size, while also reducing load on roads & facilitating bus & bike transit.

This housing style has been a positive element in the character of the neighborhood, bringing cultural diversity & safety to the streets, and a stronger valuation of the homes. At all hours, there are tired but capable & conscientious Grad Students walking the streets. Many of these students go on to become professors, and come back to buy the homes. The homeowners, the students, the neighborhood, & the City all benefit.

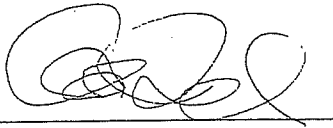
The proposed rental unit lowers the density and brings it into compliance. As this is a non-transferable Non-Conforming Use Permit, this seems an easy decision, a no-risk opportunity for neighborhood and the City to test out the workability of multi-family. As the existing owner occupied home with 2 units was never a problem, this reduction to one rental seems a benign experiment, or easy transition at worst.

Parking - We believe parking is not and will not be a problem at this location. Being far enough from Como Avenue Shops & UofM Parking, congestion & parking has never been a

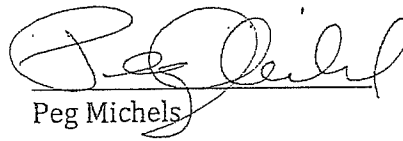
problem here. On the contrary, a dozen years ago the City of Saint Paul intentionally narrowed the streets, on the premise that a narrow more congested street would act as traffic calming.

This section of the Block has Pie shaped lots, creating small rear yards, but a bounty of curb frontage; as such we believe on-street parking is the preferred and more workable solution.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Grover Dimond', written over a horizontal line.

Grover Dimond

A handwritten signature in dark ink, appearing to read 'Peg Michels', written over a horizontal line.

Peg Michels

2332 Bourne Avenue
St. Paul, MN

ZONING WORKSHEET

ADDRESS: 2343 Carter

PIN: 20 29 23 34 0141

BUILDING CARD INFORMATION:

CONSTRUCTION DATE: 1894 PERMIT: _____ TYPE OF STRUCTURE: Dwelling

PERMITS

COUNTY ASSESSOR'S RECORDS

LICENSE RECORDS

CITY DIRECTORY

9.3.1845-
32499

6.30.1917
70777

1917 - marked as a bungalow
1949 - used as a rooming house
1970 - SFD
1976 - SFD
1985 - SFD
1998 - SFD

LEGAL DESCRIPTION:

LOT SIZE: 75 x 190' (225' other side) 13120^{sq}

CROSS STREETS:

ZONE	USE (C/NC)	UNITS PERMITTED	REQUIRED LOT SIZE	LOT SIZE (C/NC)
X	C			C
1922	duplex tri			
1960				
1964	A Res		50 6000 ^{sq}	C
1975	C NC			
R3	NC NC	ROOMS: UNITS:	duplex 50 6000 ^{sq}	triplex 9000 ^{sq} C

ZONING STATUS FOR

COMMERCIAL USE:

PLANNING:

duplex / triplex RESIDENTIAL USE:

ZONING FILE

LEGAL - CONFORMING

NO RECORD

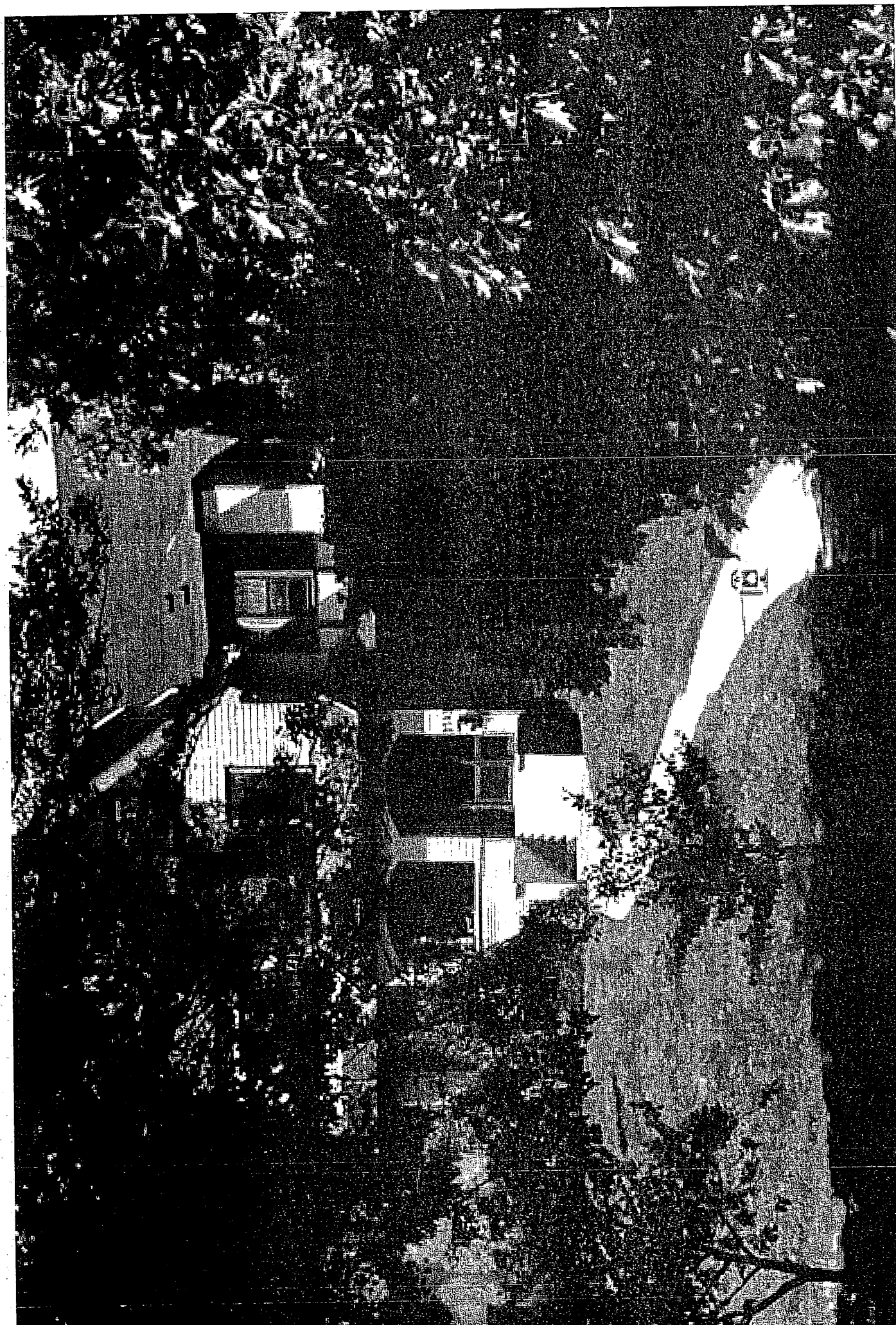
LEGAL - CONFORMING USE WITH NON-CONFORMING LOT SIZE
(for residential)

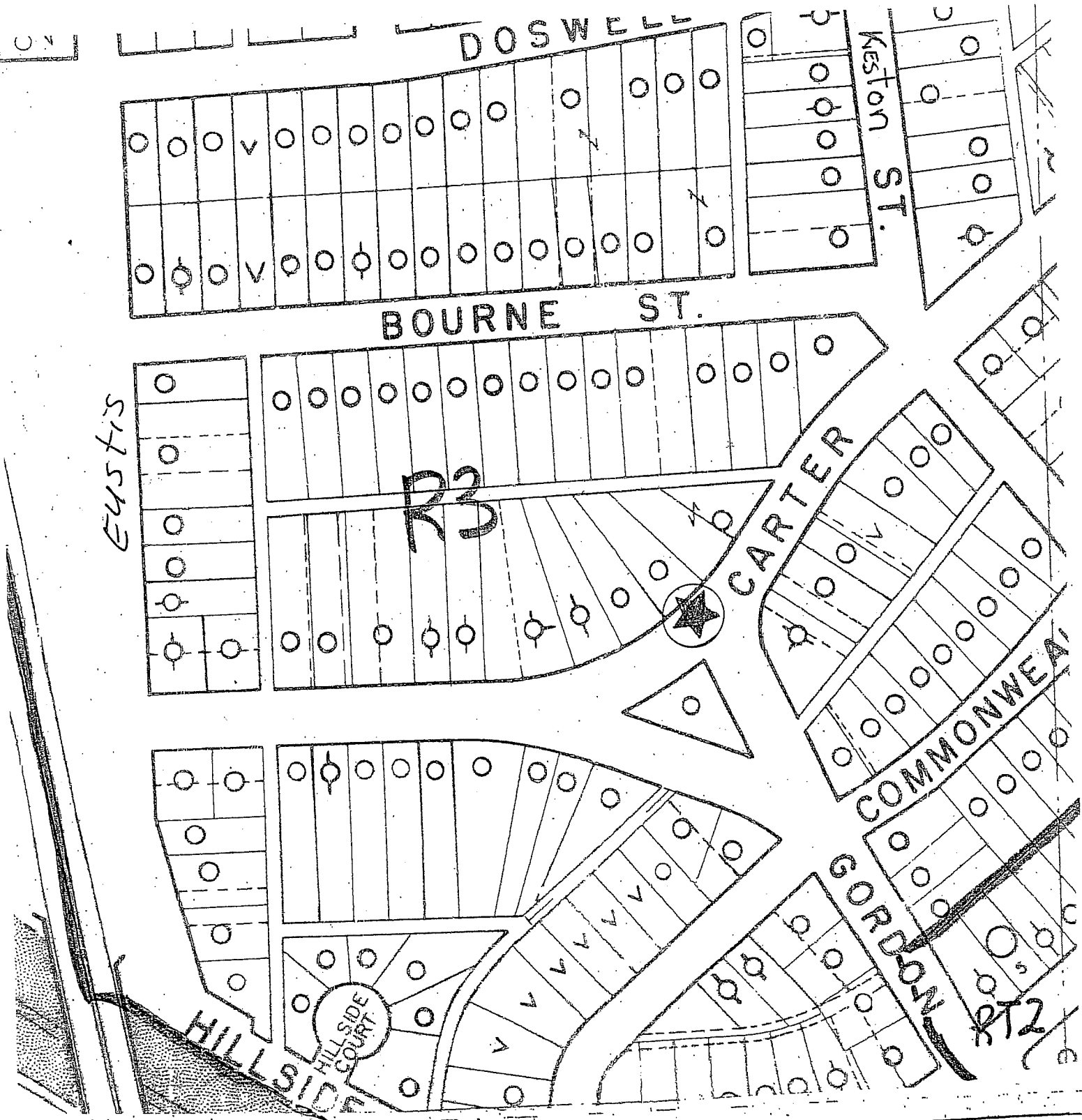
LEGAL - NON-CONFORMING USE

X ILLEGAL

Legal as a SFD only

Zach
11.22.11





APPLICANT Juliette Cherbuliez
 PURPOSE Establishment of NCUP
 FILE # 12-079791 DATE 7-11-12
 PLNG. DIST. 12 Land Use Map # 1
 Zoning Map # 1
 SCALE 1" = 100'

LEGEND

— zoning district boundary
 ▨ subject property

○ one family
 ⊙ two family
 ⊕ multiple family

• ▲ ○ commercial
 ◆ — ▲ industrial
 V vacant



ZONING COMMITTEE STAFF REPORT

FILE # 12-083-282

HEARING DATE: August 2, 2012

1. **FILE NAME:** Pastor Irene Stockett
2. **APPLICANT:** Pastor Irene Stockett
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 1093 Edgerton St, between Jessamine and Magnolia
5. **PIN & LEGAL DESCRIPTION:** 292922210145, Lanbergs Re arrangement Of B13 Lot 3
6. **PLANNING DISTRICT:** 5
7. **ZONING CODE REFERENCE:** § 65.159; § 61.501; § 61.502
8. **STAFF REPORT DATE:** July 20, 2012
9. **DATE RECEIVED:** July 12, 2012

PRESENT ZONING: R4

BY: Kate Reilly

60-DAY DEADLINE FOR ACTION: September 10, 2012

- A. **PURPOSE:** Conditional Use Permit for transitional housing with up to 6 residents, including the owner
- B. **PARCEL SIZE:** 37 ft x 121 ft lot totaling 4,477 sq. ft. or .1 acres
- C. **EXISTING LAND USE:** R-Duplex
- D. **SURROUNDING LAND USE:**
The property is surrounded on all sides by single and two-family residential structures zoned RT1 and R4.
- E. **ZONING CODE CITATION:** §65.159 lists standards and conditions for transitional housing facilities; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** This property has been a Category 2 vacant building since March of 2010. It last received a Certificate of Occupancy as a duplex in 2007. The applicant has a contract for deed to purchase the property from the current owner.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 5 Council had not commented at the time this staff report was prepared.
- H. **FINDINGS:**

1. The applicant, Pastor Irene Stockett, wishes to maintain this property as a transitional housing facility for up to six residents, including herself as the owner. The facility will house single women that have completed programs at Minnesota Teen Challenge or are referred by South Metro Human Services. The applicant will have a Group Residential Housing agreement with Ramsey County, which will help support the program. A resource center, life coaching, and meals will be provided for the residents. Residents will live in the property until they can find housing of their own.

2. §65.159 lists six standards that transitional housing facilities must satisfy. Standards a), b) c) d) and e) apply in this case.

- a) *In residential, traditional neighborhood and OS-B2 business districts, a conditional use permit is required for facilities serving more than four (4) adults facility residents and minor children in their care. This condition is met. The applicant has applied for a conditional use permit for five (5) residents and states that she will also live on site.*
- b) *In RL-RT2 residential districts, the facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other transitional housing facility with more than four (4) adult facility residents, licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents or overnight shelter. This condition is met. There are no other transitional housing facilities, licensed community residential facilities, emergency housing facilities, shelters for battered persons or overnight shelters within 1,320 feet of the property.*
- c) *Except in B4-B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities, emergency housing facilities, shelters for battered persons with more than four*

(4) *adult facility residents, overnight shelters, and/or transitional housing facilities with more than four (4) residents.* This condition is not met. According to records from the Department of Safety and Inspections and the Department of Planning and Economic Development there are six community residential facilities in District 5 with a total of 304 residents in those facilities. The 2010 population of District 5 is 30,700, one percent of which is 307, which is the capacity of the district for community residential facilities. This leaves a balance of three residents allowed in the district. The applicant is requesting five residents and one staff, or two more than the maximum.

- d) *In RL-RT1 residential districts, the facility shall serve six (6) or fewer adult facility residents and minor children in their care.* This condition is met. The facility will serve five residents plus the owner.
- e) *In RL-RT2 residential districts, the facility shall not be located in a two-family or multiple-family dwelling unless it occupies the entire structure.* This condition is met. The home is a duplex and the entire structure will be used for transitional housing.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The property falls within the Established Neighborhood designation on the Generalized Future Land Use Map, which is characterized as predominantly residential areas with single family and duplex homes, as well as some smaller scale multifamily housing.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The property is located in the middle of the block on Edgerton between Magnolia and Jessamine, with alley access to the rear of the property. There is a two-car garage with a parking pad for a total of three spaces behind the house.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met, as the property will house up to six residents, and it is surrounded by residential uses similar in terms of scale.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The proposed will put this formerly vacant home into use again.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The applicant has agreed to comply with the Code Compliance Letter from the Department of Safety and Inspections.

I. STAFF RECOMMENDATION: Based finding 2(c) above, staff recommends denial of the Conditional Use Permit for transitional housing at 1093 Edgerton with up to 6 residents.

Talitha Cumi Women's Home

Restoring Foundations of Hope

c/o PO Box 65342

St. Paul, MN 55165

July 27, 2012

St. Paul Zoning Commission
Saint Paul City Hall
15 Kellogg Boulevard
St. Paul, MN 55102

RE: 1093 Edgerton Ave. St. Paul, MN

Dear Commissioners:

I, Pastor Irene Stockett ask for the two-week lay over so that my application will be considered for modification of the number of residents for August 16, 2012.

Sincerely,

Pastor Irene Stockett
Talitha Cumi Women's Home
651-315-9221

Talitha Cumi Women's Home
Restoring Foundations of Hope
c/o PO Box 65342
St. Paul, MN 55165

July 26, 2012

St. Paul Zoning Commission
Saint Paul City Hall
15 Kellogg Boulevard
St. Paul, MN 55102

RE: 1093 Edgerton Ave. St. Paul, MN

Dear Commissioners:

I, Pastor Irene Stockett, request a modification of the 1% cap on community residential facilities for the District 5 Planning Council. There are a total of 304 beds in congregate living situations in District 5 at this time. 260 of those beds are in the Union Gospel Mission Overnight Shelter, which is in the far southwestern end of District 5.

Other, smaller properties are distributed throughout District 5. My location will not over concentrate the Planning District. There is capacity for 3 beds in the district. My request is for five residents plus myself as the owner, which is an excess of 2 beds over the maximum.

I also request an extension deadline for action, extending the deadline an additional 14 days to September 24, 2012.

Sincerely,

Pastor Irene Stockett
Talitha Cumi Women's Home
651-315-9221

PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

July 26, 2012

Zoning Committee – Saint Paul Planning Commission
City Council Chambers, Room #300
Third Floor City Hall - Saint Paul, Minnesota

Re: 1093 Edgerton - Application for a Transitional Housing facility 12-083-282 Applicant:
Pastor Irene Stockett. Conditional use permit for transitional housing with up to 6 residents,
including the owner 1093 Edgerton St, between Jessamine and Magnolia

Dear Chair Nelson and Members of the Zoning Committee:

The Board of Directors of the Payne Phalen District Five Planning Council passed a motion at its Tuesday, July 24, 2012 meeting requesting a layover on a matter appearing on the August 2nd Agenda of the Zoning Committee.

The Board of District Five respectfully requests that the Zoning Committee of the Planning Commission layover the application for a Conditional Use Permit at 1093 Edgerton for a transitional living facility, currently on the agenda for the August 2nd, 2012 meeting, until the matter can be heard by the District Five Community Planning & Economic Development Committee (CPED) Committee on August 8th, 2012, and it's recommendation is acted upon by the Board at the August 28th, 2012 monthly meeting.

This layover enables the City of Saint Paul to meet its stated citizen participation goals by permitting community notification and neighborhood review to inform and support the Zoning Committee and Planning Commission's deliberations.

On behalf of the District Five Board of Directors,



Leslie McMurray, Executive Director / Lead Organizer

506 KENNY ROAD, SUITE 130, SAINT PAUL, MINNESOTA 55130-4554

TEL # (651) 774-5234  FAX # (651) 774-9745

E-MAIL: DISTRICT5@PAYNEPHALEN.ORG

July 12, 2012

St. Paul Zoning Commission
St. Paul City Hall
15 Kellogg Boulevard
St. Paul, MN 55102

RE: 1093 Edgerton, St. Paul, MN

Dear Commissioners:

I will be residing at the home located at 1093 Edgerton in St. Paul which I have purchased this home (contract for deed). Being a single lady, those residing in this home along with me will be single ladies. This will be transitional housing for single women that have completed their program at Teen Challenge, or referred by South Metro Human Services and other programs. Women from Teen Challenge will have completed a CD program and will be employed; which is part of their program graduation requirements.

These ladies will be paying for their own room. These women need a place to start their new path in life while they explore employment opportunities. South Metro Human Services provide services through its case managers and refer clients to resources such as my transitional home. GRH funding will provide support for those from South Metro Human Services/other programs until gainful employment is attained.

The primary need for these ladies is room and board and my transitional home will meet these needs by providing shelter, along with breakfast, a bag lunch and a hot supper. Please remember that even though there is no programming provided in my home, I will be assisting them with organizing external services and encouraging them to advance themselves through productive activities outside the residence – while referring them to community service organizations where they will learn social and professional skills for success and self-sufficiency.

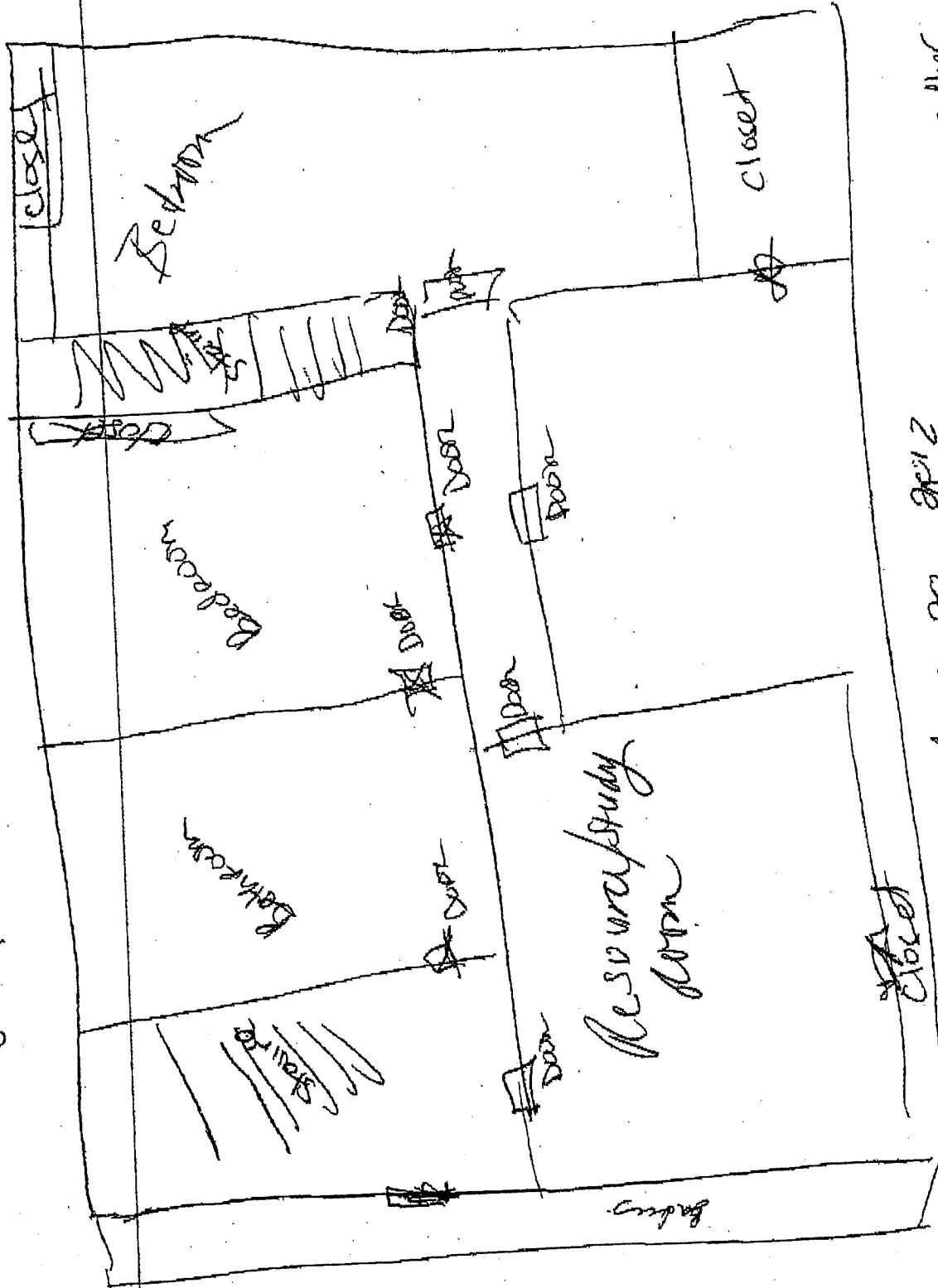
There is a dire need for housing that will provide adult women in need of a safe and clean home to live. I am adapt in working with ladies as my focus for the past few years has been on women facing these daily challenges. My goal is to offer a safe, supportive, faith-based homelike environment for these ladies.

Sincerely,

Pastor Irene Stockett

Talitha Cumi Women's Home
(*Restoring Foundations of Hope*)
651-315-9221

2nd Floor



Seller Initials
Signature Unavailable

June 20, 2012
Thank You
Buyer: [Signature]
Seller: [Signature]

A hand-drawn floor plan of a house. The layout includes a large central 'Living Room' and a 'Kitchen' at the bottom right. To the left of the living room is a 'Bedroom' and a 'Bathroom'. At the top left is a small room labeled 'Room 1' with the note 'keep into office'. A 'Door' is marked at the top center. Another 'Door' is marked at the bottom left. A 'Storage' area is indicated at the bottom right. The drawing is simple, using lines to delineate the rooms and text labels.

Seller: Intend will
by consentable
signature

Wright, I will find ~~of~~
C: some kind of ~~peace~~

**FINANCING ADDENDUM
CONTRACT FOR DEED**

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form.
© 2008 Minnesota Association of REALTORS®, Edina, MN

1. Date June 20, 2012
2. Page 1

3. Addendum to Purchase Agreement between parties, dated June 20, 2012,
4. pertaining to the purchase and sale of the property at 1093 Edgerton St, St Paul, MN
5. LO: Lanbergs Re-arrangement of Blk 13 Beaupre & Kelly's
6. Addition Lot 3
7. TYPE OF CONTRACT: ☐ Contract for Deed ☒ Contract for Deed with Assumption of Financing
(See attached Financing Addendum Assumption.)
8. CONTRACT TERMS: 2 years - buyer will finance the property.
9. Contract for Deed between: Father, Mother and Sisters Investment
10. \$ 110,000 by Minnesota Uniform Contract for Deed Blank, (a partial copy of standard clauses are
11. on the reverse side) between Seller and Buyer, payable in installments of \$ 878.26 per month
12. or more at the option of the Buyer, including interest at the rate of 8% percent (%) per annum computed
13. on unpaid balances. Interest shall begin on 8/11, 20 12. First payment shall be due and payable
14. on 8/11, 20 12, and subsequent payments shall be due and payable on 15 day of each
15. succeeding month. Payments shall be credited first to interest and remainder to principal. The entire balance of this
16. contract shall be due and payable in full no later than 8/11, 20 14. The final payment ☒ IS ☐ IS NOT a
(Check one.)
17. balloon payment.
18. Existing Mortgage(s)/Contract(s) for Deed Not Being Assumed by Buyer and Not Being Paid Off:
19. (If not applicable, strike lines 20-26.)
20. It is understood there is now a Mortgage(s) and/or Contract(s) For Deed encumbering said property which
21. ☐ DOES ☒ DOES NOT have a due-on-sale clause, with an unpaid balance of approximately
(Check one.)
22. \$ _____ by Mortgage(s)
23. \$ _____ by Contract(s) for Deed
24. which Mortgage(s) and/or Contract(s) for Deed Buyer does not assume nor agree to pay but which is to be paid according
25. to its terms by Seller. In the event Seller fails to make the required payments thereunder, Buyer shall have the right to
26. make said payments and deduct all amounts paid from payments next due under this Contract for Deed.
27. Credit Approval: Buyer shall furnish to Seller, for Seller's approval, a signed financial statement within five (5)
28. business days after acceptance of this Purchase Agreement. Buyer authorizes Seller to conduct credit checks at
29. Seller's expense. Buyer further agrees to sign documents necessary for Seller to obtain the financial information. Seller
30. has _____ days after receipt of the financial statement from Buyer to approve Buyer. In the event Seller does
31. not approve Buyer, Seller shall immediately notify Buyer in writing and this Purchase Agreement is canceled. Buyer
32. and Seller shall immediately sign a Cancellation of Purchase Agreement confirming said cancellation and directing
33. all earnest money paid hereunder to be refunded to Buyer.

34. THIS IS A LEGALLY BINDING CONTRACT BETWEEN BUYER(S) AND SELLER(S).
35. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Code Compliance Report

April 26, 2012

EH Pooled 1210 LP
1901 BRAKER LN W STE D-200
AUSTIN TX 78758

*** * This Report must be Posted
on the Job Site * ***

Re: 1093 Edgerton St
File#: 10 119680 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on April 03, 2012.

Please be advised that this report is accurate and correct as of the date April 26, 2012. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from April 26, 2012. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

BUILDING

Inspector: Jim Seeger

Phone: 651-266-9046

- Remove or encapsulate asbestos in an approved manner.
- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- Provide complete storms and screens, in good repair for all door and window openings.
- Provide functional hardware at all doors and windows
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary.
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Provide fire block construction as necessary and seal chases in basement ceiling.
- Air-seal and insulate attic/access door.

Re: 1093 Edgerton St
April 26, 2012
Page 2

BUILDING **Inspector: Jim Seeger** **Phone: 651-266-9046**

- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible. Second floor bedrooms to be hardwired and interconnected.
- Provide major clean-up of premises.
- Provide weather sealed, air sealed and vermin sealed exterior.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Install downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Install flashing in an approved manner at the intersection of the roof with walls, chimneys, and other conjoined surfaces.
- Provide general rehabilitation of garage.
- Install address numbers visible from street and on the alley side of garage.
- Provide ground cover capable of controlling sediment and erosion.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Openings in stair risers must be less than 4 inches.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Remove trees and fill from against garage siding and provide proper clearance from siding to grade and slope grading away from garage.
- Replace garage service door bottom garage door panel and decayed siding and trim.
- Remove rear sidewalk from against rear of house and lower sidewalk below the top of rear foundation 6 inches and provide soil retention and slope to remove water from rear area. Also provide landing and steps for rear entry.
- Remove trees from against house and garage and kill roots and stump.
- Insulate front porch ceiling, walls and floor to code in living area.
- Install tempered glass in window over first floor bathtub and second floor bathtub.
- Replace rear stair handrail and guardrail to code.
- Install basement handrail and guardrail to code.
- Install rear second floor deck guardrail to code.
- Install tempered glass in window at side wall of front stairs.
- Replace front steps at house to code, old step deteriorated and top step to high into porch.
- Replace all man made floor covering in house.
- A building permit is required to correct the above deficiencies.

ELECTRICAL **Inspector: Dave Blank** **Phone: 651-266-9032**

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Verify/install a separate 20 ampere laundry circuit and a separate 20 ampere kitchen appliance circuit.

Re: 1093 Edgerton St
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Page 3

ELECTRICAL **Inspector: Dave Blank** **Phone: 651-266-9032**

- Close openings in junction boxes with knockout seals and/or junction box covers
- Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched on from the top of the stairs
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets. No power at time of inspection.
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Properly wire exterior lights at back door
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Replace all painted-over receptacles.
- Install front room light fixture to NEC standards.
- Add receptacle outlet in upper level north bedroom ARC fault.
- Provide main breaker retention for service.
- Based on repair list purchase permit for 14 circuits.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the current NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING **Inspector: Rick Jacobs** **Phone: 651-266-9054**

- Basement - Water Heater - No gas shut off or gas piping incorrect (IFGC 402.1)
- Basement - Water Heater - T and P relief discharge piping incorrect (MPC 2210 Subp. 4)
- Basement - Water Heater - Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - gas venting incorrect (IFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Meter - corroded piping; incorrect piping (MPC 0200 0.)
- Basement - Water Meter - meter is removed or not in service (MPC 4715.1700)
- Basement - Water Meter - meter needs repair or is broken
- Basement - Water Meter - raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Meter - service valves not functional or correct (MPC 1800 Subp 3,4)
- Basement - Water Meter - support meter properly (MPC 2280)
- Basement - Water Piping - provide water piping to all fixtures and appliances (MPC 1700)
- Basement - Water Piping - replace missing water piping to code.

Re: 1093 Edgerton St
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Page 4

Phone: 651-266-9054

PLUMBING

Inspector: Rick Jacobs

- Basement - Water Piping - repair or replace all corroded, broken or leaking piping (MPC 4715.1720)
- Basement - Water Piping - run 1 inch water line from meter to first major take off (SPRWS Water Code)
- Basement - Gas Piping - remove any unused gas piping and cap or plug at the main.
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Basement - Gas Piping - replace corroded piping (IFGC 406.1.2)
- Basement - Gas Piping - replace improper piping or fittings (IFGC 406.1.2)
- Basement - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - improper pipe supports (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Soil and Waste Piping - replace corroded cast iron or steel waste piping (MPC 0200)
- Basement - Soil and Waste Piping - replace the floor drain cover or clean out plug (MPC 1300)
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Laundry Stand Pipe- incorrectly vented (MPC 2500)
- Basement - Laundry Tub Stand Pipe- provide a vacuum breaker for the spout (MPC 2000 B)
- Basement - Laundry Tub - Stand Pipe waste incorrect (MPC 2300)
- First Floor - Lavatory - properly support the lavatory to the wall.
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Sink - unvented (MPC 0200. E)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Sink - water piping incorrect (MPC 0200 P.)
- First Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Toilet Facilities - incorrectly vented (MPC 2500)
- First Floor - Toilet Facilities - waste incorrect (MPC 2300)
- First Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - provide stopper (MPC 1240)
- First Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- First and Second Floor - Tub and Shower - improper faucet air gap.
- First and Second Floor - Toilet - reset toilet on firm base.
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Sink - water piping incorrect (MPC 0200 P.)
- Second Floor - Toilet Facilities - waste incorrect (MPC 2300)

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PLUMBING **Inspector: Rick Jacobs** **Phone: 651-266-9054**

- Second Floor - Toilet Facilities - water piping incorrect (MPC 0200 P.)
- Second Floor - Tub and Shower - Provide access (MPC 0900)
- Second Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Second Floor - Tub and Shower - provide stopper (MPC 1240)
- Second Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- Second Floor - Tub and Shower - water piping incorrect (MPC 0200 P.)
- Exterior - Lawn Hydrants - Broken or parts missing (MPC 0200 K)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- Obtain plumbing permits prior to commencement of work.

HEATING **Inspector: Maureen Hanson** **Phone: 651-266-9043**

- Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe
- Install approved metal chimney liner
- Connect furnace and water heater venting into chimney liner
- Provide adequate clearance from flue vent pipe on furnace to combustible materials or provide approved shielding according to code
- Vent clothes dryer to code
- Provide adequate combustion air and support duct to code
- Provide support for gas lines to code
- Plug, cap and/or remove all disconnected gas lines and unapproved valves.
- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
- Repair and/or replace heating registers as necessary
- Provide heat in every habitable room and bathrooms
- Undercut doors one inch above finished floor to rooms without ducted return air.
- Mechanical gas permit is required for the above work.

ZONING

1. This property is in a(n) R4 zoning district.
2. This property was inspected as a Single Family Dwelling.

This property was inspected as a Duplex which is not permitted in this zoning district; this property may be a non-conforming use and will require zoning approval before a sale can be approved, any permits may be issued or any work on the property is started.

Re: 1093 Edgerton St

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Notes:

- See attachment for permit requirements and appeals procedure.
- Most of the roof covering could not be inspected from grade. Recommend this be done before rehabilitation is attempted.
- The building is approved for 1 dwelling unit but contains 2 dwelling units. Obtain approval for additional units or remove the excess dwelling units. If the additional units are approved, maintain the required fire-separation between dwelling units and between units and common area.

This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected in accordance with the Minimum Housing Standards of the St. Paul Legislative Code (Chapter 34) and all required permits must receive final approval within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

If you have any questions regarding this inspection report, please contact Jim Seeger between 7:30 - 9:00 AM at 651-266-9046 or leave a voice mail message.

Sincerely,

James L. Seeger
Code Compliance Officer
Department of Safety and Inspections
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul MN 55101
Phone: 651-266-9046
Email: james.seeger@ci.stpaul.mn.us

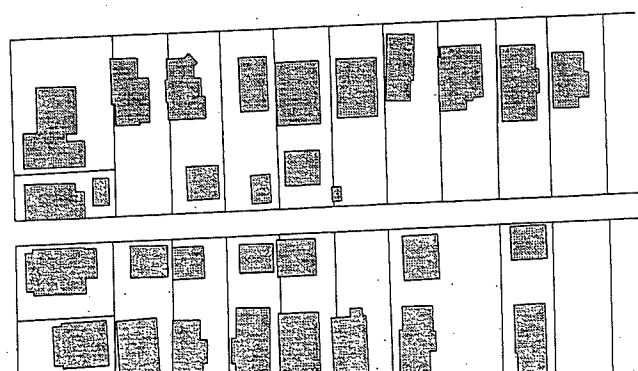
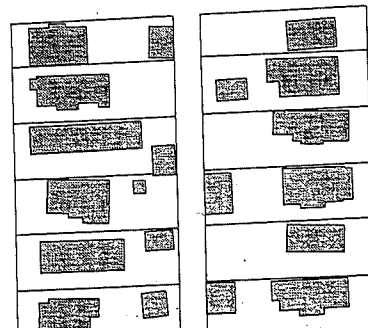
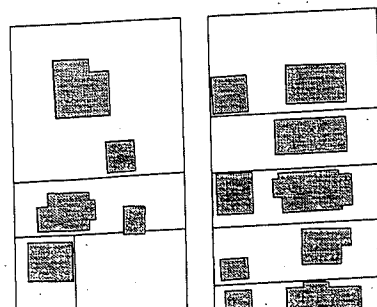
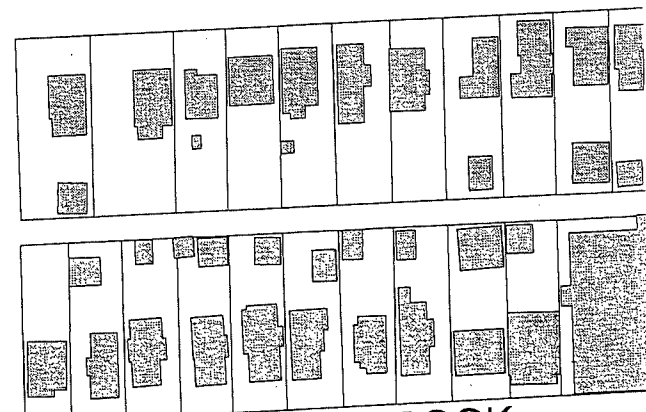
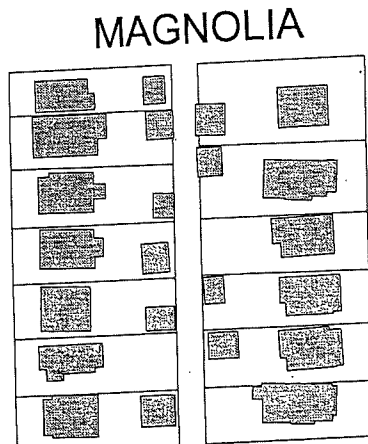
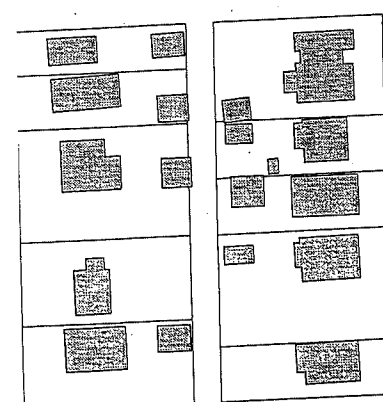
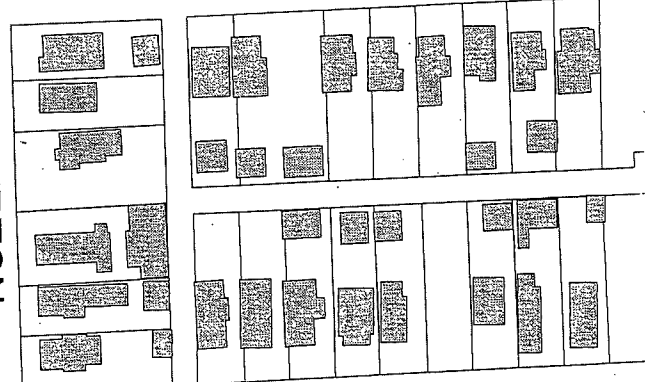
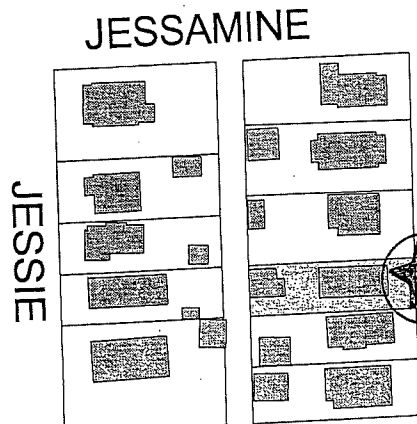
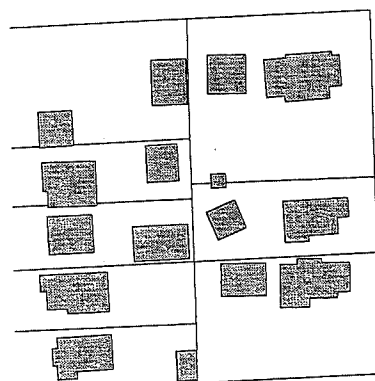
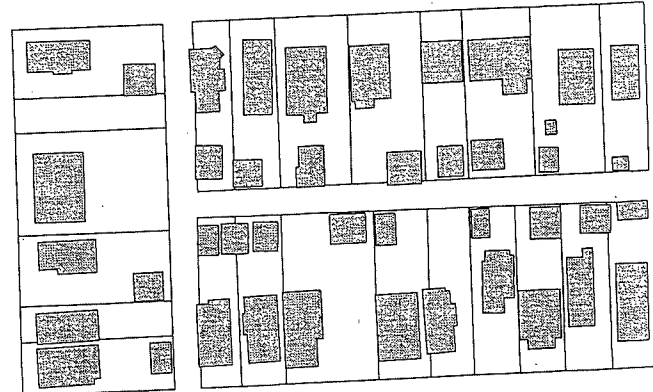
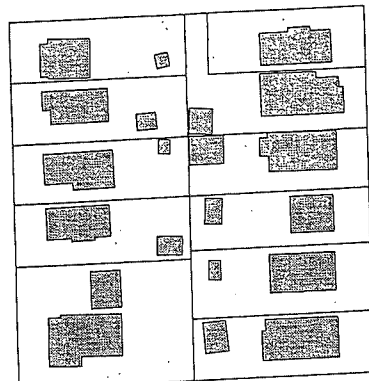
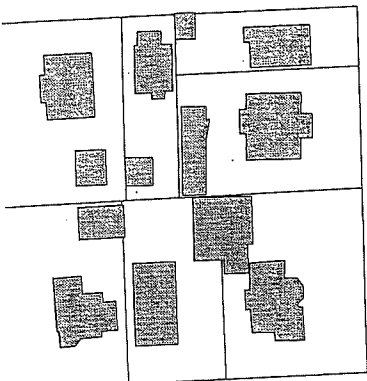
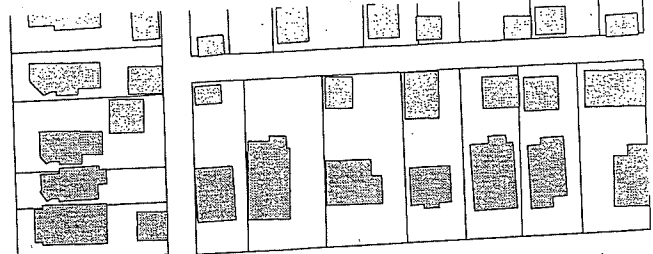
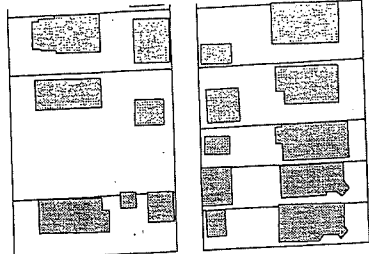
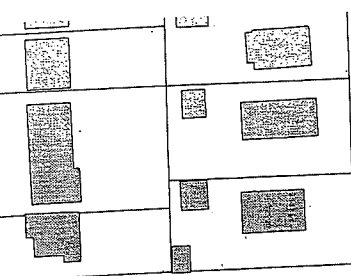
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Attachments

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☒ Show Reference Map





JESSAMINE

JESSIE

EDGERTON

MAGNOLIA

COOK





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6565
Facsimile: 651-228-3261*

DATE: July 27, 2012
TO: Planning Commission
FROM: Comprehensive Planning Committee
SUBJECT: Great River Passage Master Plan

BACKGROUND

The Great River Passage Master Plan is the City's long-term plan for unifying the entire length of Saint Paul's Mississippi riverfront (17 miles of river, 26 miles of shoreline) into one grand and comprehensive vision to be realized over the next 30-50 years. The Great River Passage Master Plan sets the stage for sustainable parks and open spaces; ecological restoration; economic development; and connection of the city, its neighborhoods and people to the Mississippi River. It builds on 15 years of Saint Paul's efforts to fully realize what an incredible environmental, recreational, physical, economic, cultural and historic resource the Mississippi River is. Starting with the *Saint Paul on the Mississippi Development Framework* (1997), these efforts include the Mississippi River Corridor Plan (2001), the Great River Park chapter of the *Saint Paul on the Mississippi Development Framework* (2007), and various district and small area plans.

Over the course of nearly two years, the Great River Passage (GRP) Master Plan was prepared by a multi-disciplinary consultant team headed by Wenk Associates, based in Denver, CO, working with an inter-departmental City staff team and a 56-member task force/technical advisory group that included representatives from district councils, City Council offices, National Park Service, MN Department of Natural Resources, Ramsey County, Friends of Saint Paul and Ramsey County Parks and Trails, Friends of the Mississippi River, and Saint Paul Riverfront Corporation. Community direction and feedback were gathered at 29 public input sessions, including focus groups, community task force meetings and open houses.

THE GREAT RIVER PASSAGE MASTER PLAN

The GRP Master Plan contains goals, objectives, strategies and projects based on three core principles for riverfront public and private development, established in the *Saint Paul on the Mississippi Development Framework*:

- More Natural
- More Urban
- More Connected

The Master Plan explores the application of these principles in four sub-areas, or reaches, of the Mississippi River as it travels through Saint Paul:

- The Gorge
- The Valley
- Downtown
- The Floodplain

The Master Plan is primarily a parks and open space plan that envisions the river corridor as an interconnected system of parks and trails. However, the Master Plan also envisions a river corridor that connects public space along the river to private development in neighborhoods adjacent to the river. It recognizes that the river corridor is Saint Paul's most significant environmental and recreational amenity, while also recognizing that it serves urban development just beyond the river's edge.

A PLAN IN TWO PARTS

Adoption of the GRP Master Plan will occur along two parallel tracks:

- adoption by the Saint Paul City Council of the entire document, including potential projects and a proposed administrative structure to staff the effort; and
- adoption by the City Council of certain sections of the Master Plan as an amendment to the Saint Paul Comprehensive Plan.

A graphic of the approval process is attached.

Adoption of the Entire GRP Master Plan

This track consists of a recommendation from the Saint Paul Parks and Recreation Commission directly to the Mayor and City Council. The full document goes beyond what is appropriately part of the Comprehensive Plan, in that it contains very specific parks projects and a strategic plan to organize the Department of Parks and Recreation to focus on the GRP. The Parks and Recreation Commission recommended the full document to the City Council on June 20, 2012.

Adoption of Certain Sections of the GRP Master Plan as Part of the Saint Paul Comprehensive Plan

This track consists of a recommendation from the Planning Commission (at the recommendation of the Parks and Recreation Commission) to the Mayor and City Council. Certain sections of the GRP Master Plan are being recommended for adoption as part of the Comprehensive Plan in order to:

- align the goals and objectives of the GRP with those of the other chapters of the Comprehensive Plan, especially land use, transportation, and parks and recreation; and
- ensure that the GRP Master Plan is official City planning policy, and therefore guides public and private investment within the Passage.

The sections of the GRP recommended for adoption as part of the Comprehensive Plan include:

- general goals and objectives, by principle (more natural, more urban more connected) and reach (Gorge, Valley, Downtown and Floodplain);
- graphics that illustrate key planning and design concepts; and
- goals and objectives related to regional park vision plans, with corresponding graphics.

SAINT PAUL PARKS AND RECREATION COMMISSION RECOMMENDATION

On June 20, 2012, the Saint Paul Parks Commission took three actions regarding the Great River Passage Master Plan:

- forwarded the full Master Plan, with changes, to the Planning Commission and City Council for final approval;
- requested that the Planning Commission recommend to the City Council adoption of appropriate sections of the Master Plan as part of the Saint Paul Comprehensive Plan; and
- requested that the City Council adopt the entire Great River Passage Master Plan as official City policy to guide public and private investment within the Great River Passage, plan implementation, and administration of the Great River Passage program.

A copy of the Parks and Recreation Commission's resolution is attached.

ROLE OF THE PLANNING COMMISSION

The next step in the approval process takes place at the Planning Commission. The Planning Commission will recommend to the City Council adoption of appropriate sections of the Great River Passage Master Plan as amendments to the City's Comprehensive Plan. The role of the Planning Commission is to review the broader vision, goals and objectives in the GRP Comprehensive Plan document for consistency with the chapters of the larger Comprehensive Plan, and recommend adoption of those that are consistent with the Comprehensive Plan. It is not the Planning Commission's role to evaluate whether the projects being recommended in the Master Plan are the right ones for the Passage, or whether the implementation strategy is the right one. Where the vision, goals and/or objectives are not consistent with the Comprehensive Plan, the Commission may recommend amending either the GRP Comprehensive Plan or the relevant existing Comprehensive Plan language to achieve consistency.

COMMITTEE RECOMMENDATION

The Comprehensive Planning Committee recommends that the Planning Commission:

- release the public hearing draft for public review; and
- set a public hearing date of September 21, 2012.

Planning Commission
July 27, 2012
Page Four

Attachments:

- Great River Passage: Proposed Amendment to Saint Paul's Comprehensive Plan, Public Hearing Draft/August 2012 (for Commissioners only)
- GRP Master Plan Approval Process
- Parks and Recreation Commission Resolution

The full GRP Master Plan and the shorter version that will be considered as an amendment to the Comprehensive Plan are available on-line:

Full document at <http://www.greatriverpassage.org>

Comp Plan amendment at <http://www.stpaul.gov/index.aspx?nid=3429> (Comp Planning Committee web page)

RESOLUTION #12-05
Great River Passage Master Plan

WHEREAS, the Saint Paul Parks and Recreation Commission ("Commission") is an appointed body established to advise the Mayor and City Council on long-range and city-wide matters related to the Department of Parks and Recreation; and

WHEREAS, the Great River Passage Master Plan, over two years in the making, was developed by a consulting team of professionals including; landscape architects, architects, planners, transportation consultants, environmental engineers, natural resource specialists, cultural heritage specialists, public art consultants, marketing consultants, and management and funding consultants, which were led by Wenk Associates, a national planning and design firm based in Denver, Colorado; a City staff working group made up of individuals from Planning and Economic Development, Public Works, and Department of Safety and Inspections; and a 56 member task force/technical advisory group including representatives from District Councils, City Council offices, National Park Service, MN Department of Natural Resources, U.S. Army Corps of Engineers, Ramsey County Parks and Recreation, Ramsey County Regional Rail Authority, Friends of Ramsey County Parks and Trails, Friends of the Mississippi River, Capitol Region and Ramsey Washington Metro Watershed Districts, Saint Paul Port Authority, Metropolitan Airports Commission, City of Saint Paul Departments of Public Works and Planning and Economic Development, and the Saint Paul Riverfront Corporation; and

WHEREAS, the Great River Passage Master Plan was developed with hundreds of hours of citizen input received at 29 public input sessions, including focus groups, community task force meetings, and open houses; and

WHEREAS, the Great River Passage Master Plan builds upon several previous planning efforts that have been adopted by the Mayor and City Council. These include the Saint Paul on the Mississippi Development Framework (1997), the Mississippi River Corridor Plan (2001- also adopted as part of the Comp Plan), the Great River Park chapter of the Saint Paul on the Mississippi Development Framework (2007), and various District Council plans; and

WHEREAS, a central goal of the master plan is to strike a balance between the protection and enhancement of the river corridor's natural qualities, and high quality urban development; and

WHEREAS, this plan has been developed and recommendations were made in the context of viewing the river corridor as an interconnected system of parks and trails; and

WHEREAS, the Plan is a 30- to 50-year vision, yet also includes specific short, medium, and long-term recommendations to provide guidance for policy makers, City departments, and budgeting processes; and



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WHEREAS, the Great River Passage Master Plan will, in the years to come, set the stage for sustainable parks and open spaces, ecological restoration and economic development, and connection of the city, its neighborhoods, and people to Saint Paul's unique Mississippi River resources; and

WHEREAS, the Master Plan was released for public review and comment on January 3, 2012, and on February 29, 2012, after an eight-week public review period, the Parks and Recreation Commission held the first of three scheduled public hearing opportunities; and

WHEREAS, the Commission extended the period to receive additional written comments from the public until March 5, 2012, and

WHEREAS, a staff report was prepared (dated May 23, 2012) summarizing the main issues identified from the public comments received and which included three separate attachments; Attachment A- a comment matrix addressing each comment received, Attachment B- a list of recommended changes to the Master Plan document, and Attachment C- a list of Great River Passage Master Plan sections suitable for adoption as part of Saint Paul's Comprehensive Plan; and

NOW, THEREFORE BE IT RESOLVED, that the Saint Paul Parks and Recreation Commission concurs with the staff request to approve the changes to the Plan as recommended in Attachment B; and

BE IT FURTHER RESOLVED, that the Commission recommends the Great River Passage Master Plan be forwarded to the Planning Commission and City Council for final approval; and

BE IT FURTHER RESOLVED, that the Commission requests that the Planning Commission recommend to the City Council adoption of appropriate sections of the Great River Passage Master Plan as part of the Saint Paul Comprehensive Plan as per Attachment C; and

BE IT FINALLY RESOLVED, that the Commission requests the City Council adopt the entire Great River Passage Master Plan as official City policy to guide public and private investment within the Great River Passage..

Adopted by the Saint Paul Parks and Recreation Commission on June 20, 2012:

Approved:	Yeas	_____
	Nays	_____
	Absent:	_____

Resolution 12-05

Attested to by:

Staff to the Parks and Recreation Commission



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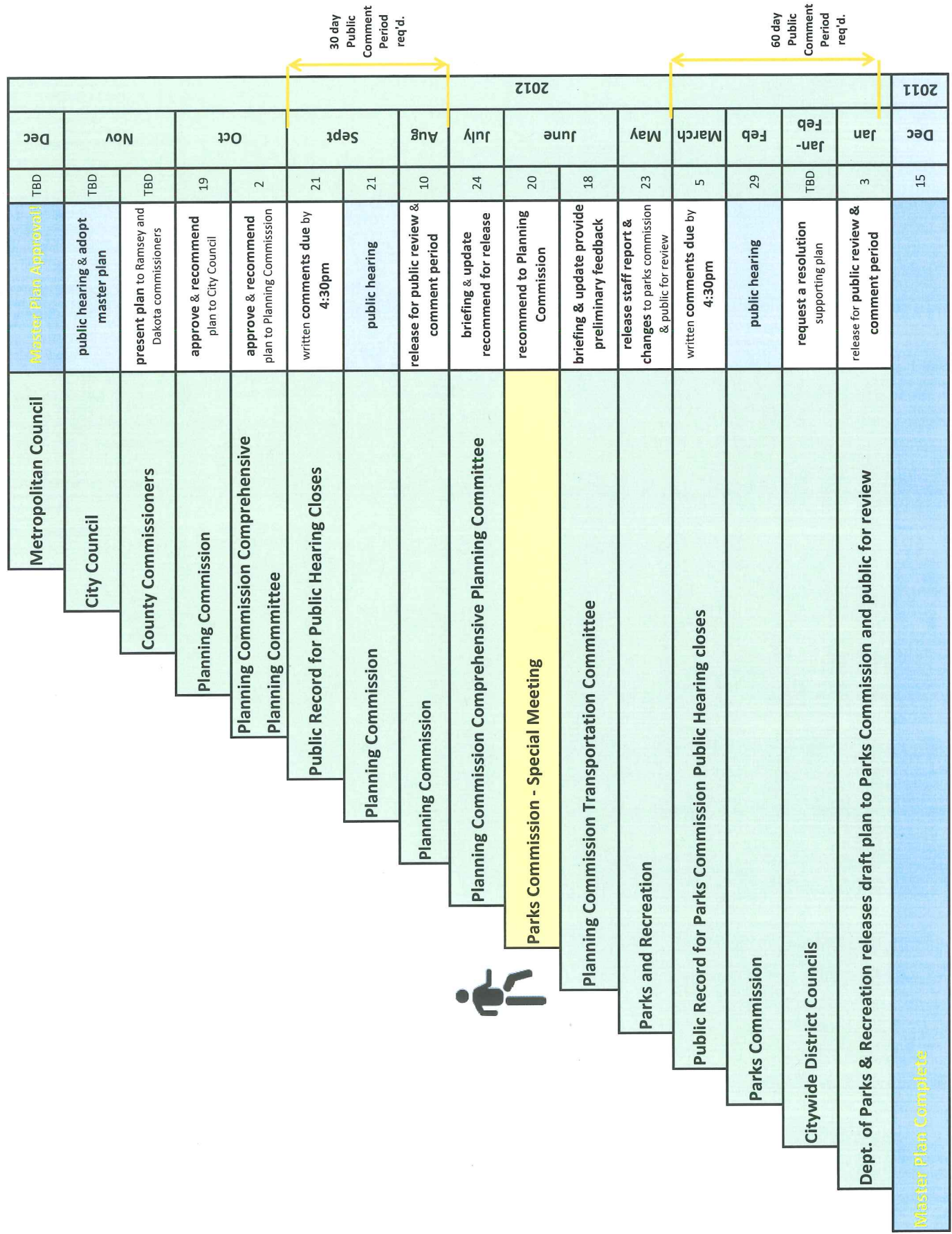
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Approval Process for the Great River Passage Master Plan

www.greatriverpassage.org



**The Great River Passage Master Plan – Comprehensive
Plan Amendment full document can be seen on the web
page at:**

<http://stpaul.gov/index.aspx?nid=3429>